

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES 1934

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NUMBER 237

Washington, Tuesday, November 28, 1944

The President

EXECUTIVE ORDER 9502

ESTABLISHING SPECIAL TEMPORARY POSITIONS IN THE PUBLIC HEALTH SERVICE

By virtue of the authority vested in me by section 207 (a) of the Public Health Service Act, approved July 1, 1944 (58 Stat. 682, 685), I hereby establish in the Public Health Service one special temporary position of Associate Chief of the Bureau of State Services and one special temporary position of Chief Medical Officer for the War Shipping Administration. Commissioned officers of the Public Health Service shall have the grade of Assistant Surgeon General during the period of their assignment to such positions.

The positions established by this order shall cease to exist upon the termination of the present war or of the emergency declared by me on May 27, 1941,¹ whichever is earlier.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
November 24, 1944.

[F. R. Doc. 44-17991; Filed, Nov. 25, 1944;
11:33 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75, Amdt. 18]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

War Food Order No. 75, as amended (8 F.R. 11119, 9 F.R. 4319, 4973, 5333, 5767, 10033, 11929), is further amended by deleting (1) (1) and substituting in lieu thereof the following:

(1) All Class 1 and Class 2 slaughterers shall pay for good to choice butcher hogs (barrows and gilts) within the weight range of from 200 to 270 pounds,

¹ See Proclamation, 6 F.R. 2617.

both inclusive, not less than the following support prices:

(i) Chicago market \$12.50 per hundredweight.

(ii) At terminal markets other than Chicago and at interior markets and buying stations, \$2.25 per hundredweight below the maximum price for hogs weighing not over 270 pounds in effect at such market or buying station on November 15, 1944, under regulations of the Office of Price Administration.

This order shall become effective at 12:01 a. m., e. w. t., November 26, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of November 1944.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 44-18010; Filed, Nov. 25, 1944;
2:56 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 708—DECORATIONS, MEDALS, RIBBONS AND SIMILAR DEVICES

BRONZE STAR MEDAL

In § 708.4 (a) the parenthetical clause is amended and a new paragraph designated (c) is added as set forth below:

§ 708.4 *Time limits.* (a) * * * (except as provided in § 708.2 (h) (2) (iii) and in paragraphs (b) and (c) of this section).

(c) The Bronze Star Medal may be awarded for acts or service performed between 7 December 1941 and 4 February 1944, both dates inclusive, provided the recommendation therefor shall have

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
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been made on or before 4 February 1946 and also provided that the award is made prior to 4 February 1947. See act 9 July 1918 (40 Stat. 871); U.S.C. 1409 and E.O. 4601, 1 March 1927 [AR 600-45, September 1943 as amended by C5, 11 November 1944]

[SEAL] EDWARD F. WITSELL,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-17974; Filed, Nov. 25, 1944;
11:03 a. m.]

Chapter VIII—Supplies and Equipment

Subchapter B—Disposal of Property

PART 824—DISPOSITION OF NON-REPAIRABLE PROPERTY

REDESIGNATION OF PART AND SECTION NUMBERS

The part headnote of this part is redesignated as set forth above and §§ 828.4 to 828.9, inclusive (9 F.R. 5034, 7595) redesignated §§ 824.4 to 824.9 (R.S. 161; 5 U.S.C. 22) [AD 700-25, 1944]

[SEAL] EDWARD F. WITSELL,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-17973; Filed, Nov. 25, 1944;
11:03 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

Subchapter E—Approved Forms

[Order 118]

PART 210—STATEMENTS OF REPORTS (SCHEDULES)

POWER SYSTEM STATEMENTS FOR ELECTRIC UTILITIES

NOVEMBER 20, 1944.

Prescribing the filing of power system statements for electric utilities, licensees and others, FPC Form No. 12.

The Commission, pursuant to sections 4 (a), 301 (a), 304 (a), 309, and 311 of the Federal Power Act, and other provisions of said Act thereunto authorizing it, orders that:

§ 210.51 *Annual report; FPC Form No. 12*—(a) The FPC Form No. 12 for Power System Statement (Class I and II systems), including the instructions and schedules therein contained, be and the same hereby is approved;

(b) Each corporation, person, agency, authority, or other legal entity or instrumentality, whether public or private, which operates facilities for the generation, or transmission, or distribution of electric energy, and which is in the classification of a Class I or a Class II system (as the same are defined in the accompanying FPC Form No. 12¹) shall

¹Form filed as part of the original document.

hereafter annually prepare and file with the Commission, on or before the date indicated by said form, such statement or statements and in such form as is required by said instructions and schedules, setting forth the answers to the questions therein stated and furnishing the information therein called for;

(c) Order No. 108, dated December 2, 1943, and the form thereby prescribed, are superseded.

This order and the form herein prescribed shall become effective on December 20, 1944; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-18013; Filed, Nov. 25, 1944;
2:56 p. m.]

[Order 119]

PART 210—STATEMENTS AND REPORTS (SCHEDULES)

POWER SYSTEM STATEMENTS FOR ELECTRIC UTILITIES

NOVEMBER 20, 1944.

Prescribing the filing of power system statements for electric utilities, licensees and others, FPC Form No. 12-A.

The Commission, pursuant to sections 4 (a), 301 (a), 304 (a), 309 and 311 of the Federal Power Act, and other provisions of said act thereunto authorizing it, orders that:

§ 210.52 *Annual report; FPC Form No. 12-A*. (a) The FPC Form No. 12-A, Power System Statement (Class III and Class IV systems), including the instructions and schedules therein contained, be and the same hereby is approved;

(b) Each corporation, person, agency, authority or other legal entity or instrumentality, whether public or private which operates facilities for the generation or transmission, or distribution of electric energy, and which is in the classification of a Class III or Class IV system (as the same are defined in the accompanying FPC Form No. 12-A¹) shall hereafter annually prepare and file with the Commission, on or before the date indicated by said form, such statement or statements and in such form as is required by said instructions and schedules, setting forth the answers to the questions therein stated and furnishing the information therein called for: *Provided*, That said form shall not be required to be prepared and filed for Class III systems having "net energy for system" during the year less than 5,000,000 kilowatt-hours (as the same is defined in the accompanying form), or for Class IV systems having energy received plus net generation during the year less than 5,000,000 kilowatt-hours except as specifically directed;

(c) Order No. 103, dated December 2, 1943, and the form thereby prescribed, are superseded.

This order and the form herein prescribed shall become effective on December 20, 1944; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-17939; Filed, Nov. 25, 1944;
11:02 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes [T. D. 5419]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

ESTIMATED TAX OF INDIVIDUALS

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) to section 13 (except section 13 (b) and (e)) of the Individual Income Tax Act of 1944 (Public Law 315, 78th Congress), approved May 29, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.52-1, added by Treasury Decision 5305, approved November 12, 1943, the following:

SEC. 13. ESTIMATED TAX OF INDIVIDUALS. (Individual Income Tax Act of 1944, Part I.)

(a) *Declarations and amendments*. Sections 53, 59, and 60 (relating to declaration and payment of estimated tax), are amended to read as follows:

SEC. 53. DECLARATION OF ESTIMATED TAX BY INDIVIDUALS.

(a) *Requirement of declaration*. Every individual (other than an estate or trust and other than a nonresident alien with respect to whose wages, as defined in section 1621 (a), withholding under Subchapter D of Chapter 9 is not made applicable) shall, at the time prescribed in subsection (d), make a declaration of his estimated tax for the taxable year if:

(1) His gross income from wages (as defined in section 1621) can reasonably be expected to exceed the sum of \$5,000 plus \$500 with respect to each surtax exemption (except his own) provided in section 25 (b); or

(2) His gross income from sources other than wages (as defined in section 1621) can reasonably be expected to exceed \$100 for the taxable year and his gross income to be \$500 or more.

(b) *Contents of declaration*. In the declaration required under subsection (a) the individual shall state:

(1) The amount which he estimates as the amount of tax under this chapter for the taxable year, without regard to any credits under sections 32 and 35 for taxes withheld at source;

(2) The amount which he estimates as the credits for the taxable year under sections 32 and 35; and

(3) The excess of the amount estimated under paragraph (1) over the amount estimated under paragraph (2), which excess for the purposes of this chapter shall be considered the estimated tax for the taxable year.

The declaration shall also contain such other information for the purposes of carrying out the provisions of this chapter as the Commissioner, with the approval of the Secretary, may by regulations prescribe, and shall contain or be verified by a written statement that it is made under the penalties of perjury.

(c) *Joint declaration by husband and wife.* In the case of a husband and wife, a single declaration under this section may be made by them jointly, in which case the liability with respect to the estimated tax shall be joint and several. No joint declaration may be made if either the husband or wife is a nonresident alien. If a joint declaration is made but a joint return is not made for the taxable year, the estimated tax for such year may be treated as the estimated tax of either the husband or the wife, or may be divided between them.

(d) *Time and place for filing.*—(1) *In general.* The declaration required under subsection (a) shall be filed on or before March 15 of the taxable year, except that if the requirements of section 58 (a) are first met

(A) After March 1 and before June 2 of the taxable year, the declaration shall be filed on or before June 15 of the taxable year, or

(B) After June 1 and before September 2 of the taxable year, the declaration shall be filed on or before September 15 of the taxable year, or

(C) After September 1 of the taxable year, the declaration shall be filed on or before January 15 of the succeeding taxable year.

(2) *Amendment of declaration.* An individual may make amendments of a declaration filed during the taxable year under this subsection, under regulations prescribed by the Commissioner with the approval of the Secretary. If so made, such amendments may be filed on or before the fifteenth day of the last month of any quarter of the taxable year subsequent to that in which the declaration was filed and in which no previous amendment has been filed, except that in the case of an amendment filed after September 15 of the taxable year, it may be filed on or before January 15 of the succeeding taxable year. Declarations and amendments thereof shall be filed with the collector specified in section 53 (b) (1).

(3) *Return as declaration or amendment.* If on or before January 15 of the succeeding taxable year the taxpayer files a return, for the taxable year for which the declaration is required, and pays in full the amount computed on the return as payable, then, under regulations prescribed by the Commissioner with the approval of the Secretary:

(A) If the declaration is not required to be filed during the taxable year, but is required to be filed on or before such January 15, such return shall, for the purposes of this chapter, be considered as such declaration; and

(B) If the tax shown on the return (reduced by the credits under sections 32 and 35) is greater than the estimated tax shown in a declaration previously made, or in the last amendment thereof, such return shall, for the purposes of this chapter, be considered as the amendment of the declaration permitted by paragraph (2) to be filed on or before such January 15.

(e) *Extension of time.* The Commissioner may grant a reasonable extension of the time for filing declarations and paying the estimated tax, under such rules and regulations as he shall prescribe with the approval of the Secretary. Except in the case of taxpayers who are abroad, no such extension shall be for more than six months.

(f) *Persons under disability.* If the taxpayer is unable to make his own declaration,

the declaration shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

(g) *Signature presumed correct.* The fact that an individual's name is signed to a filed declaration shall be prima facie evidence for all purposes that the declaration was actually signed by him.

(h) *Publicity of declaration.* For the purposes of section 55 (relating to publicity of returns), a declaration of estimated tax shall be held and considered a return under this chapter.

SEC. 59. PAYMENT OF ESTIMATED TAX.

(a) *In general.* The estimated tax shall be paid as follows:

(1) If the declaration is filed on or before March 15 of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the filing of the declaration, the second and third on June 15 and September 15, respectively, of the taxable year, and the fourth on January 15 of the succeeding taxable year.

(2) If the declaration is filed after March 15 and not after June 15 of the taxable year, and is not required by section 58 (d) to be filed on or before March 15 of the taxable year, the estimated tax shall be paid in three equal installments. The first installment shall be paid at the time of the filing of the declaration, the second on September 15 of the taxable year, and the third on January 15 of the succeeding taxable year.

(3) If the declaration is filed after June 15 and not after September 15 of the taxable year, and is not required by section 58 (d) to be filed on or before June 15 of the taxable year, the estimated tax shall be paid in two equal installments. The first installment shall be paid at the time of the filing of the declaration, and the second on January 15 of the succeeding taxable year.

(4) If the declaration is filed after September 15 of the taxable year, and is not required by section 58 (d) to be filed on or before September 15 of the taxable year, the estimated tax shall be paid in full at the time of the filing of the declaration.

(5) If the declaration is filed after the time prescribed in section 58 (d) (including cases in which an extension of time for filing the declaration has been granted under section 58 (e)), paragraphs (2), (3), and (4) of this subsection shall not apply, and there shall be paid at the time of such filing all installments of estimated tax which would have been payable on or before such time if the declaration had been filed within the time prescribed in section 58 (d), and the remaining installments shall be paid at the times at which, and in the amounts in which, they would have been payable if the declaration had been so filed.

(b) *Amendments of declaration.* If any amendment of a declaration is filed, the remaining installments, if any, shall be ratably increased or decreased, as the case may be, to reflect the increase or decrease, as the case may be, in the estimated tax by reason of such amendment, and if any amendment is made after September 15 of the taxable year, any increase in the estimated tax by reason thereof shall be paid at the time of making such amendment.

(c) *Installments paid in advance.* At the election of the individual, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

(d) *Payment as part of tax for taxable year.* Payment of the estimated tax, or any installment thereof, shall be considered payment on account of the tax for the taxable year. Assessment in respect of the estimated tax shall be limited to the amount paid.

SEC. 60. SPECIAL RULES FOR APPLICATION OF SECTIONS 58 AND 59.

(a) *Farmers.* In the case of an individual whose estimated gross income from farming

for the taxable year is at least two-thirds of the total estimated gross income from all sources for the taxable year, in lieu of the time prescribed in section 58 (d), the declaration for the taxable year may be made at any time on or before January 15 of the succeeding taxable year.

(b) *Application to short taxable years.* The application of sections 58, 59, and 294 (d), and of subsection (a) of this section, to taxable years of less than twelve months shall be as prescribed in regulations prescribed by the Commissioner with the approval of the Secretary.

(c) *Fiscal years.* In the application of sections 58 and 59, and subsection (a) of this section, to the case of a taxable year beginning on any date other than January 1, there shall be substituted, for the months specified therein, the months which correspond thereto.

(c) *Effective date.* The amendment made by subsection (a), insofar as it relates to section 58 (a) of the Internal Revenue Code, shall be applicable only with respect to taxable years beginning after December 31, 1944.

(d) *Special rule for 1944.* The provisions of sections 58 and 59 of such Code, as amended by this Act, shall be subject to the following modifications with respect to declaration and payment of estimated tax for the calendar year 1944:

(1) *Time for filing declaration.* If the requirements of section 58 (a) of such Code, without regard to its amendment by this Act, are first met before April 1, 1944, the declaration shall be filed on or before April 15, 1944, and if such requirements are first met after March 31, 1944, and before June 2, 1944, the declaration shall be filed on or before June 15, 1944.

(2) *Payment of estimated tax.* If the declaration is filed on or before April 15, 1944, then (even though such declaration under existing law or under paragraph (1) of this subsection was not required to be filed before June 15, 1944) the estimated tax shall be paid in four equal installments and at the times provided in section 59 (a) (1) of such Code, as amended by this Act. If the declaration is filed after April 15, 1944, and not after June 15, 1944 (and is not required by paragraph (1) to be filed on or before April 15), the estimated tax shall be paid in three equal installments and at the times provided in section 59 (a) (2) of such Code, as amended by this Act. The rule provided in section 59 (a) (5) of such Code, as amended by this Act, shall apply with respect to declarations filed after the time prescribed in paragraph (1) of this subsection.

SEC. 2. TAXABLE YEARS TO WHICH APPLICABLE. (Individual Income Tax Act of 1944, Part I.)

Except as otherwise expressly provided, the amendments made by this part shall be applicable with respect to taxable years beginning after December 31, 1943.

PAR. 2. Section 2958-1, as amended by Treasury Decision 5403, approved September 5, 1944, is further amended as follows:

(A) By striking out the heading and inserting in lieu thereof the following: "Declarations of estimated tax—taxable year beginning prior to January 1, 1945—(a) General."

(B) By inserting in paragraph (b) immediately following "December 31, 1942," the following: "and prior to January 1, 1945,"

(C) By adding at the end thereof the following new section:

§ 29.58-2 *Declarations of estimated tax; taxable years beginning after December 31, 1944*—(a) *General*. A declaration of estimated tax shall, for taxable years beginning after December 31, 1944, be made by (1) every citizen of the United States whether residing at home or abroad, (2) every individual residing in the United States though not a citizen thereof, and (3) every nonresident alien who is a resident of Canada or Mexico and who has wages subject to withholding at the source under section 1622, if such citizen or resident or alien can reasonably be expected to have for such taxable year:

(1) Gross income from wages subject to withholding under section 1622 in excess of the sum of \$5,000 plus \$500 for each surtax exemption (excluding the surtax exemption claimed for the taxpayer himself) allowable as a credit under section 25 (b); or

(2) Gross income of more than \$100 from sources other than wages subject to withholding under section 1622 and total gross income of \$500 or more.

In the case of a husband and wife, whether or not they are living together, a joint declaration of estimated tax may be made if the gross income of either spouse meets the requirements of section 58 (a). If the gross income of each spouse meets the requirements of section 58 (a), either a joint declaration must be made or a separate declaration must be made by each. For the purpose of determining whether a declaration of estimated tax is required under the provisions of section 58 (a), a married person may not take into account the surtax exemption of his spouse, if his spouse has, or is reasonably expected to have, gross income.

In estimating his gross income for the taxable year, a parent should not take into account the income of his minor child. Such income is not includible in the gross income of the parent. See section 22 (m).

A nonresident alien who is a resident of Canada or Mexico, who enters and leaves the United States at frequent intervals, and who has wages subject to withholding under the provisions of section 1622 is required to file a declaration of estimated tax if his gross income meets the requirements of section 58 (a). In the case of a nonresident alien gross income means only gross income from sources within the United States. (Section 212 (a).) As to what constitutes gross income from sources within the United States, see section 119 and the regulations thereunder. Thus, for example, a nonresident alien living in Canada with his wife and two dependent children throughout 1945 makes his return on the calendar year basis. His wife and children are also nonresident aliens. He is employed as an executive in Detroit, Michigan, at a salary of \$8,000 per annum and enters and leaves the United States at frequent intervals in pursuit of such employment. Neither husband nor wife has any reasonable expectation of any other income from United States sources. Since his wages derived from sources within the United States in 1945 can reasonably be ex-

pected to amount to more than \$5,000 plus \$1,500 (\$500 x 3), or \$6,500, a declaration of estimated tax must be filed by such resident of Canada for 1945.

An estate or trust though generally taxed as an individual is not within the scope of the system of current payment of the tax, and hence is not required to file a declaration.

The application of these provisions may be illustrated by the following examples:

Example (1). M, a taxpayer making his return on the calendar year basis, is married and has two dependent children. Neither his wife nor children have any source of income. His salary from January 1 to June 30, 1945, was at the annual rate of \$6,000. However, effective July 1, 1945, his annual salary was increased to \$8,000 and under the facts then existing it is reasonable to assume that his salary for the remaining portion of 1945 will remain unchanged. As of July 1, 1945, therefore, it is reasonable to expect that he will derive for 1945 a salary of \$7,000. Since such amount is in excess of \$5,000 plus \$1,500 (\$500 x 3), or \$6,500, M is required to file a declaration of estimated tax for 1945. As to when such declaration is required to be filed, see § 29.53-7 (b).

Example (2). N, a professional man engaged in the practice of his profession on his own account, has gross income of \$400 from such profession for the two months of January and February 1945. It can reasonably be expected that he will have no income during 1945 from any other source. Since N has gross income which can for 1945 reasonably be expected to exceed \$500 and such income does not constitute wages subject to withholding, he is required to file a declaration of estimated tax regardless of his family or marital status and regardless of the number of surtax exemptions to which he may be entitled for that year.

Example (3). P has been regularly employed for many years prior to January 1, 1945, at which date his weekly wage is \$90. He is a widower and has three dependents none of whom has any source of income in 1945. He owns stock in a corporation from which he has derived regularly for many years prior to 1945 annual dividends ranging from \$120 to \$160. In view of the fact that for 1945 P can reasonably be expected to receive gross income of \$500 or more including more than \$100 of income from sources other than wages as defined in section 1621 (a), he is required to make a declaration of estimated tax for such year.

Example (4). A is employed at the beginning of 1945 at an annual salary of \$8,000 which on the basis of facts then existing, will, it is expected, not undergo any change throughout 1945. It is not reasonable to be anticipated that he will have any other income in 1945. His wife, B, owns stock upon which dividends ranging from \$50 to \$90 have been paid regularly during years prior to 1945. A and B have four dependent children of whom two have no source of income in 1945; a third child is the beneficiary of a trust fund from which he has received in prior years annual income in the amount of approximately \$300, but has no other source of income; while the fourth child is gainfully employed upon a part-time basis and may reasonably be expected to receive compensation for his services amounting to \$600 in 1945. Under these facts, for the purpose of determining whether he is required to file a declaration, A may take into account only three surtax exemptions—one for each child expected to receive less than \$500 gross income in 1945. Since his anticipated salary of \$8,000 exceeds the sum of \$5,000 plus \$1,500 (\$500 x 3), or \$6,500, A will be required to file a declaration of estimated tax for 1945. A may not claim a surtax exemption

for his wife, B, in his separate declaration since, under the facts assumed, B is expected to have gross income in 1945. If, however, a joint declaration is made, a surtax exemption may be claimed for B.

(b) *Short taxable years.* For the purpose of determining whether the anticipated income for a short taxable year necessitates the filing of a declaration such income shall be placed on an annual basis in the manner prescribed in section 47 (c) (1). Thus, for example, a taxpayer who changes from the calendar year basis to a fiscal year basis beginning July 1, 1945, will have a short taxable year beginning January 1, 1945, and ending June 30, 1945. If his anticipated gross income for such short taxable year consists solely of wages (as defined in section 1621 (a)) in the amount of \$4,000, his total gross income and his gross income from such wages for the purpose of determining whether a declaration is required is \$8,000, the amount obtained by placing anticipated income of \$4,000 upon an annual basis. Hence, assuming such taxpayer is single and has no dependents, he is required to file a declaration for the short taxable year since his anticipated gross income from wages when placed upon an annual basis is in excess of \$5,000.

Pan. 3. Section 29.58-2, as amended by Treasury Decision 5403, is further amended as follows:

(A) By redesignating the section "§ 29.58-3".

(B) By striking from the second paragraph "amount and character" and inserting in lieu thereof the following: "amount and character (for the calendar year 1943), or amount (for taxable years beginning after December 31, 1943)".

(C) By inserting in the second paragraph immediately following "husband or wife should not" the following: ", for the calendar year 1943,".

(D) By inserting immediately after the second paragraph thereof the following new paragraph:

For taxable years beginning after December 31, 1943, section 400 of the Internal Revenue Code, as amended, also may be used in computing the estimated tax for the purposes of the declaration. However, for the purposes of computing the tax liability under chapter 1 for such a taxable year in the case of married persons living together, if the net income of one spouse is determined without regard to the standard deduction, the standard deduction is not allowed to either. Hence, to avoid the risk of underestimating the tax in such case, one spouse should not use section 400 in computing the estimated tax unless the other spouse also uses section 400 or employs the standard deduction in computing the estimated tax.

(E) By striking from the last paragraph "32, 35 and 466 (e)" and inserting in lieu thereof "32 and 35".

Pan. 4. Section 29.53-3, as added by Treasury Decision 5305, is amended as follows:

(A) By redesignating the section "§ 29.58-4".

(B) By striking from the heading the words "living together".

(C) By amending the first paragraph thereof to read as follows:

For taxable years beginning before January 1, 1944, a husband and wife may make a joint declaration, if they are living together at the time prescribed for filing the declaration. For taxable years beginning after December 31, 1943, a husband and wife may make a joint declaration even though they are not living together. A joint declaration may not be made after the death of either the husband or wife or if either the husband or wife is a nonresident alien.

(D) By adding at the end thereof the following new paragraph:

If a joint declaration is made by husband and wife and thereafter one spouse dies, no further payments of estimated tax on account of such joint declaration are required from the estate of the decedent. The surviving spouse, however, shall be liable for the payment of subsequent installments of the joint estimated tax unless an amended declaration setting forth the separate estimated tax for the taxable year is filed by such spouse. Such separate estimated tax shall be paid at the time and in the amounts determined under the rules prescribed in § 29.58-11. For the purposes of the amended declaration, the payments made pursuant to the joint declaration may be divided between the decedent and the surviving spouse in such proportion as the surviving spouse and the legal representative of the decedent may agree.

PAR. 5. Section 29.58-4, as added by Treasury Decision 5305, is amended as follows:

(A) By redesignating the section "§ 29.58-5".

(B) By striking out the fifth and sixth sentences.

(C) By striking out "(including victory tax) for 1943" and inserting in lieu thereof "(including victory tax for 1943)".

PAR. 6. Section 29.58-5, as added by Treasury Decision 5305, is amended as follows:

(A) By striking out "§ 29.58-5. *Time and place for filing declarations.*" and inserting in lieu thereof the following: "§ 29.58-6 *Time and place for filing declarations: years beginning prior to January 1, 1944.*"

(B) By striking out the sixth sentence of paragraph (a) (1).

(C) By striking out the fifth sentence of paragraph (a) (2).

(D) By striking out all that part of paragraph (c) which follows the third sentence thereof.

(E) By adding at the end thereof the following new section.

§ 29.58-7 *Time and place for filing declarations; years beginning after December 31, 1943—(a) Special rules applicable to calendar year 1944 and fiscal years beginning in 1944.* The provisions of subsection (a) of section 58, as amended, relating to who shall file a declaration of estimated tax, are applicable only with respect to taxable years beginning after December 31, 1944. The tests, therefore, found in section 58 (a) prior to its amendment by the Indi-

vidual Income Tax Act of 1944 are applicable to the calendar year 1944 and fiscal years beginning in 1944. In the case of the calendar year 1944 if the requirements therein provided are first met before April 1, 1944, the declaration shall be filed on or before April 15, 1944; if such requirements are first met after March 31, 1944, and before June 2, 1944, the declaration shall be filed on or before June 15, 1944. If, however, such requirements are met on or after June 2, 1944, the general rule provided in section 58 (d) (1) (B) and (C) as amended by the Individual Income Tax Act of 1944 is applicable. Hence, if such requirements are first met after June 1, 1944, and before September 2, 1944, the declaration shall be filed on or before September 15, 1944, and if such requirements are first met after September 1, 1944, the declaration shall be filed on or before January 15, 1945.

In the case of a fiscal year beginning in 1944, the declaration must be filed on the 15th day of the third month of the taxable year. If, however, the requirements of section 58 (a), prior to its amendment, are first met after the first day of the third month and before the second day of the sixth month, the declaration must be filed on or before the 15th day of the sixth month of the taxable year. If such requirements are first met after the first day of the sixth month, and before the second day of the ninth month, the declaration must be filed on or before the 15th day of the ninth month of the taxable year; and if such requirements are first met after the first day of the ninth month, the declaration must be filed on or before the 15th day of the next succeeding taxable year.

(b) *Calendar and fiscal years beginning after December 31, 1944.* Declarations of estimated tax for the calendar year 1945 and subsequent calendar years shall (except in the case of farmers, as to whom see paragraph (c) of this section) be made on or before March 15 of such year by every individual whose then anticipated income for the current calendar year meets the requirements of section 58 (a), as amended. If, however, the requirements necessitating the filing of the declaration are first met, in the case of a taxpayer on the calendar year basis, after March 1, but before June 2 of the calendar year, the declaration must be filed on or before June 15; if the requirements are met after June 1 and before September 2, the declaration must be filed on or before September 15; and if such requirements are first met after September 1, the declaration must be filed on or before January 15 of the succeeding calendar year. In the case of a taxpayer on the fiscal year basis, the declaration must be filed on the 15th day of the third month of the taxable year. If, however, the requirements of section 58 (a), as amended, are first met after the first day of the third month and before the second day of the sixth month, the declaration must be filed on or before the 15th day of the sixth month of the taxable year. If such requirements are first met after the first day of the sixth month, and before the second day

of the ninth month, the declaration must be filed on or before the 15th day of the ninth month, of the taxable year, or if such requirements are met after the first day of the ninth month, the declaration must be filed on or before the 15th day of the next succeeding fiscal year. Thus, if an individual taxpayer is on the fiscal year basis ending June 30, 1946, his declaration must be filed on or before September 15, 1945, if the requirements of section 58 (a) are met on or before September 1, 1945. If, however, such conditions are not met until after September 1, 1945, and before December 2, 1945, the declaration need not be filed until December 15, 1945.

For calendar and fiscal years beginning after December 31, 1944, the requirements with respect to the filing of the declaration are those prescribed in section 58 (a), as amended. The requirements with respect to the time for filing the declaration apply alike to such nonresident aliens as are required to make a declaration as well as to United States citizens and residents. In the case of certain individuals outside the Americas, certain individuals in the military or naval forces of the United States who are serving on sea duty or outside the continental United States, and certain civilian employees of the United States who are prisoners of war or otherwise detained by any foreign government with which the United States is at war, the provisions of Treasury Decision 5270 (set forth in paragraph 111a of the Appendix to these regulations) relative to the time for filing returns are also applicable with respect to the time for filing declarations. In the case of any such individual, however, if the time for filing the return for a taxable year is postponed under the provisions of Treasury Decision 5270, a declaration of estimated tax for such taxable year is not required.

(c) *Farmers.* In the case of an individual, whose estimated gross income from farming for the taxable year is at least two-thirds of his total estimated gross income from all sources for such taxable year, his declaration may be filed on or before the 15th day of January of the succeeding taxable year in lieu of the time prescribed for individuals generally. The provisions of § 29.58-6 (a) (3) relating to what constitutes farming are equally applicable to taxable years beginning after December 31, 1943.

(d) *Declarations for short taxable years.* No declaration may be made for a period of more than 12 months. A separate declaration for a fractional part of a year is, therefore, required where there is a change, with the approval of the Commissioner, in the basis of computing net income from one taxable year to another taxable year. The periods to be covered by such separate declarations in the several cases are those set forth in section 47 (a). No declaration, however, is required for a taxable year of less than three months. In the case of a decedent, no declaration need be filed subsequent to the date of death. As to requirement for amended declaration if death of one spouse occurs after filing a joint declaration, see § 29.58-4.

In the case of short taxable years the declaration shall be filed on or before the 15th day of the third month of such taxable year if the requirements of section 58 (a) are met on or before the first day of the third month of such year. If such requirements are first met after the first day of the third month but before the second day of the sixth month, the declaration must be filed on or before the 15th day of the sixth month. If, however, the period for which the declaration is filed is one of three months, or one of six months and the requirements of section 58 (a) were not met until after the first day of the third month, or one of nine months and such requirements were not met until after the first day of the sixth month, the declaration may be filed on or before the 15th day of the succeeding taxable year. If the short taxable year is a period:

(1) Of at least three months but less than six months and the requirements of section 58 (a) are first met after the first day of the third month, or

(2) Of at least six months but less than nine months and the requirements of section 58 (a) are first met after the first day of the sixth month, or

(3) Of nine months or more and the requirements of section 58 (a) are first met after the first day of the ninth month,

no declaration is required.

In the case of an individual whose estimated gross income from farming for a short taxable year is at least two-thirds of his total estimated gross income from all sources for such taxable year, his declaration may be filed on or before the fifteenth day of the month immediately following the close of such taxable year.

(e) *Place for filing declarations.* The rules prescribed in § 29.58-6 (b) with respect to the place for filing the declaration are equally applicable to taxable years beginning after December 31, 1943.

(f) *Amended declarations.* In the making of a declaration of estimated tax, the statute requires the taxpayer to take into account the then existing facts and circumstances as well as those reasonably to be anticipated relating to prospective gross income, allowable deductions and estimated credits for the taxable year. Amended or revised declarations may be made in any case in which the taxpayer estimates that his gross income, deductions, or credits will differ from the gross income, deductions, or credits reflected in the previous declaration. An amended declaration may also be made based upon a change in the number of surtax exemptions to which the taxpayer may be entitled for the then current taxable year, such as the acquisition of a dependent or divorce or marriage of the taxpayer. Such amended declaration shall be on Form 1040ES, marked "Amended". No amended or revised declaration may be filed in the quarter in which the original declaration has been filed nor in any subsequent quarter in which a prior or revised declaration has been filed. For

taxable years beginning after December 31, 1943, where an original declaration has previously been filed: In the case of a taxpayer on the calendar year basis, an amended declaration filed after September 15 may be filed on or before January 15 of the succeeding calendar year; in the case of a taxpayer on the fiscal year basis, an amended declaration filed after the 15th day of the ninth month of such fiscal year may be filed on or before the 15th day of the succeeding fiscal year. Thus, if a taxpayer is on a fiscal year basis beginning July 1, 1944, an amended declaration filed after March 15, 1945, may be filed on or before July 15, 1945.

(g) *Return as a declaration of estimated tax or amendment thereof.* If the taxpayer files his return for the calendar year on or before January 15 of the succeeding calendar year (or if the taxpayer is on a fiscal year basis, on or before the 15th day of the first month immediately succeeding the close of such fiscal year) and pays in full the amount of tax shown by such return as payable, then:

(1) Such return shall be considered also as a declaration for such taxable year if, in such case, the taxpayer first met the requirements of section 58 (a) (relating to the requirements with respect to filing of declarations) after September 1 of the taxable year (or the first day of the ninth month of the taxable year if the taxpayer is on a fiscal year basis); and

(2) If the tax shown on such return differs from the estimated tax shown in the previously filed declaration, such return shall be considered as an amended declaration the filing of which prior to January 15 of the succeeding taxable year is permitted by section 58 (d) (2).

Hence, for example, an individual taxpayer on the calendar year basis who, subsequent to September 1, 1944, first meets the requirements of section 58 (a) (prior to amendment by the Individual Income Tax Act of 1944) which necessitate the filing of such declaration in 1944, may satisfy the requirements as to the filing of such declaration by filing his return for 1944 on or before January 15, 1945, and paying in full at the time of such filing the tax shown thereon to be payable. A taxpayer on the fiscal year basis, who first meets the requirements of section 58 (a) after the first day of the ninth month of such taxable

year, may satisfy the requirements as to the filing of such declaration by filing his return and paying the tax on or before the fifteenth day of the first month following the close of such fiscal year.

Likewise, if a taxpayer files on or before September 15 a timely declaration for such year and subsequent thereto and on or before January 15 of the succeeding taxable year (or corresponding date in the case of a taxpayer on the fiscal year basis) files his return for such year, and pays at the time of filing the tax shown by the return to be payable, such return shall be treated as an amended declaration timely filed.

For the purposes of section 59 (d) (3) a taxpayer may file his return, Form 1040, on or before the 15th day of the first month following the close of the taxable year even though he has not been furnished by his employer Form W-2 or Form W-2 (Rev.). In such case the taxpayer shall compute, as accurately as possible, his wages for such year and the tax withheld for which he is entitled to a credit, reporting such wages and tax on his return, Form 1040, together with all other pertinent information necessary to the determination of his tax liability for such year.

Par. 7. Section 29.58-6, added by Treasury Decision 5305, is redesignated "§ 29.58-8".

Par. 8. Section 29.58-7, added by Treasury Decision 5305, is redesignated "§ 29.58-9".

Par. 9. Section 29.58-8, as added by Treasury Decision 5305, is amended as follows:

(A) By striking out "§ 29.58-8 *Payment of estimated tax.*" and inserting in lieu thereof the following: "§ 29.58-10 *Payment of estimated tax—years beginning prior to January 1, 1944.*"

(B) By striking out the last sentence of the second paragraph and all of the third paragraph except the first sentence.

(C) By amending the cross reference in paragraph (b) to read "§ 29.58-6 (a) (3)".

(D) By adding at the end thereof the following new section:

§ 29.58-11 *Payment of estimated tax; years beginning after December 31, 1943—(a) General.* Section 59 (a), as amended, provides the following rules governing the time for payment of the estimated tax for calendar years beginning after December 31, 1943:

<i>Date of Filing Declaration</i>	<i>Dates of Payment of Estimated Tax</i>
I. On or before March 15 (for calendar year 1944, April 15).	In four equal installments—one at time of filing declaration, one not later than June 15, one not later than September 15, and one not later than January 15 of the succeeding taxable year.
II. After March 15 and before June 15 and not required to be filed on or before March 15.	In three equal installments—one at time of filing declaration, one on or before September 15, and one on or before January 15 of the succeeding taxable year.
III. After June 15 and before September 15 and not required to be filed on or before June 15.	In two equal installments—one at time of filing declaration, and the other on or before January 15 of the succeeding taxable year.
IV. After September 15 and not required to be filed on or before that date.	In full at time of filing declaration.

If, for example, due to the nature and amount of his gross income and his then existing marital status for 1945, the taxpayer is not required to file his declaration as of March 15, but is required to file on or before June 15, 1945, the case comes within the scope of class II above and the estimated tax is payable in full at the time of filing the declaration or, in the alternative, in three equal installments, one on the date of filing, one on or before September 15, 1945, and the third installment on or before January 15, 1946.

Notwithstanding the rules set forth above relating to the time for payment of the estimated tax, section 59 provides that if in any case a declaration is filed after the time prescribed in section 58 (d) (including a case in which such filing is due to an extension of time granted for filing the declaration) the estimated tax shall be paid at the time of filing the declaration or, in the alternative, there shall be paid at such time all installments of the estimated tax which would have been payable on or before such date of filing if the declaration had been timely filed in accordance with the provisions of section 58 (d), and the remaining installments shall be paid at the times and in the amounts in which they would have been payable if the declaration had been so filed. Thus, for example, A, a married man who makes his return on the calendar year basis, was employed from the beginning of 1944 and for several years prior thereto at an annual salary of \$5,000, thus meeting the requirements of section 58 (a) prior to its amendment by the Individual Income Tax Act of 1944. A filed his declaration for 1944 on September 16, 1944. In such case, A should have filed a declaration on or before April 15, 1944, and at the time of filing his declaration he was delinquent in the payment of three installments of his estimated tax for the taxable year 1944. Hence, upon his filing the declaration on September 16, 1944, three-fourths of the estimated tax shown thereon must be paid.

In the case of a taxpayer on the fiscal year basis, there shall be substituted for the dates March 15, June 15, September 15 and January 15 of the succeeding taxable year, the 15th day of the third month, the 15th day of the sixth month and the 15th day of the ninth month of the taxable year and the 15th day of the succeeding taxable year, respectively. For example, if a taxpayer on the fiscal year basis ending June 30, 1945, first meets on January 15, 1945, the requirements of section 58 (a) without regard to its amendment by the Individual Income Tax Act of 1944, and the declaration is filed on or before March 15, 1945, the estimated tax shall be paid in two equal installments, one at the time of filing such declaration and the second on or before July 15, 1945.

In the case of a decedent, payments of estimated tax are not required subsequent to the date of death. See, however, § 29.58-4 for requirement of amended declaration by surviving spouse if a joint declaration was made with decedent before death.

At the election of the taxpayer any installment of the estimated tax may be paid prior to the date prescribed for its payment.

The payment of any and every installment of the estimated tax for any taxable year beginning after December 31, 1943, shall be considered payment on account of the tax for such taxable year. Hence, upon the return for such taxable year, the aggregate amount of the payments of estimated tax should be entered as payments to be applied against the tax shown on such return.

(b) *Farmers.* In the case of an individual whose estimated gross income from farming for taxable years beginning after December 31, 1943, is at least two-thirds of his total gross income from all sources for such taxable year, special provisions are made with respect to the filing of the declaration, the payment of the tax, and the penalties incurred. As to what constitutes income from farming within the meaning of this subsection, see § 29.58-6 (a) (3). In such case, if such taxable year is the calendar year, the declaration is to be filed on or before January 15 of the succeeding calendar year and payment of the estimated tax shall be made in full at such time. In the case of a farmer on the fiscal year basis, the declaration may be filed on or before the 15th day of the succeeding fiscal year and payment of the estimated tax shall be made in full at such time.

(c) *Special rules for 1944.* In any case in which a declaration of estimated tax for the calendar year 1944 is filed on or before April 15, 1944, the estimated tax shall be paid at the time of the filing of the declaration or, in the alternative, in four equal installments as follows: the first installment to be paid at the time of filing the declaration; the second installment on or before June 15; the third installment on or before September 15; and the fourth installment on or before January 15, 1945. If the declaration is filed after April 15, 1944, but before June 16, 1944, and such requirements of section 58 (a) were first met on or after April 1, 1944, the estimated tax may be paid in three equal installments as follows: the first installment at the time of filing the declaration, the second on or before September 15, 1944, and the third installment on or before January 15, 1945. If, however, the requirements of section 58 (a) (without regard to the amendment made by the Individual Income Tax Act of 1944) were first met before April 1, 1944, but no declaration was filed until after April 15, 1944, or if such requirements were met after March 31, 1944, and before June 2, 1944, and no declaration was filed until after June 15, 1944, then there shall be paid at the date of filing such declaration all installments of estimated tax which would have been payable on or before such date if the declaration had been filed within the time prescribed and the remaining installments shall be paid at the times at which and in the amounts in which they would have been payable had the declaration been so filed.

(d) *Short taxable years.* In the case of a short taxable year for which a declaration is required to be filed the esti-

mated tax shall be paid in equal installments, one at the time of filing the declaration, one on the 15th day of the third month of each succeeding three-month period contained in such short taxable year except the last such three-month period or fraction thereof, and one on the 15th day of the first month of the succeeding taxable year. For example, if the short taxable year is the period of 10 months from January 1, 1945, to October 31, 1945, and the declaration is required to be filed on or before March 15, 1945, the estimated tax is payable in four equal installments, on the date of filing the declaration, June 15, September 15, and November 15. If in such case the declaration is required to be filed after March 15 but on or before June 15, the tax will be payable in three equal installments, on the date of filing the declaration, September 15 and November 15.

The provisions of paragraph (a) of this section relating to payment of estimated tax in any case in which the declaration is filed after the time prescribed in section 58 (d) are equally applicable to the payment of the estimated tax for short taxable years.

(Sec. 62, I. R. C. (53 Stat., 32; 26 U.S.C. 1940 ed. 62), and sec. 13, Individual Income Tax Act of 1944 (Pub. Law 315, 78th Cong.), approved May 29, 1944)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of
Internal Revenue.

Approved: November 25, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-18052; Filed, Nov. 27, 1944;
11:39 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY AND HOLIDAY PAY

PREMIUM COMPENSATION IN BUILDING AND CONSTRUCTION TRADES

Amendment of determination of September 30, 1942, as amended, on premium compensation in building and construction trades.

On April 11, 1944 the Secretary of Labor issued an amended determination on premium compensation in the building and construction trades which applied the exemption previously granted on September 30, 1942, for work on construction projects which is subject to the Wage Stabilization Agreement of July 22, 1941, to all other work in the building and construction industry performed by employees at the site of construction provided that such work is performed under specified conditions. Upon investigation it appears advisable to amend my order of April 11, 1944 by deleting such conditions.

I find that a wage stabilization agreement approved by a Government department or agency is operating satisfactorily in the building and construc-

tion industry and that the nature and exigencies of operations in such industry make it necessary and advisable for the successful prosecution of the war to amend my order of April 11, 1944.

Now, therefore, by virtue of the power vested in me by Executive Order 9248: *It is ordered*, That the determination of the Secretary of Labor, issued September 30, 1942, which provides that Executive Order 9240 shall not apply to any contract work done for or through any Federal agency for defense purposes within the continental limits of the United States and the Panama Canal Zone is extended to exempt from Executive Order 9240 all other work in the building and construction industry performed at the site of construction.

Nothing contained in this order shall be construed as limiting the operation or effect of the Wage Stabilization Agreement of July 22, 1941, and all work subject to this agreement shall continue to be subject to the amendment of my determination of September 30, 1942, issued May 22, 1943, which limits holidays on such work to New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and Memorial Day.

All questions of interpretation and application arising hereunder shall be referred for determination to the Wage Adjustment Board for the building and construction industry.

This order shall become effective December 1, 1944.

Dated: November 28, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-17989; Filed, Nov. 25, 1944;
11:24 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 261]

PART 807—DENIAL OF LICENSING PRIVILEGES

Sections 807.3, 807.4, and 807.5 are hereby amended by inserting the words "Chief of the Domestic Compliance Section, Operations Division, Requirements and Supply Branch" in lieu of the words "Chief of the Trade Intelligence Division" and the words "Chief of the Trade Intelligence Division of the Country Programs Branch" wherever said words appear in said sections.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 24, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-17975; Filed, Nov. 25, 1944;
10:53 a. m.]

No. 237—2

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 238 and 56 Stat. 177; E.O. 9024, 7 F.R. 323; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-661]

CLIMAX MACHINERY CO.

Climax Machinery Company, 121 to 153 East Morris Street, Indianapolis, Indiana, is an Indiana Corporation engaged in the manufacture of food slicing machines powered by fractional horsepower motors. During the period from June 1, 1942, to June 17, 1943 the corporation manufactured 5,578 food slicing machines powered by fractional horsepower motors which were not manufactured in fulfillment of orders or contracts bearing preference ratings of A-2 or higher, in violation of Limitation Order L-65. Between June 1, 1942 and August 1, 1943, it consumed 4,158 lbs. of copper and copper base alloys in the manufacture of food slicing machines, in violation of Conservation Order M-9-c. Between September 1, 1942 and August 1, 1943, it consumed approximately 1,300 pounds of zinc in the manufacture of food slicing machines, in violation of Order M-11-b. The responsible officers of the corporation were familiar with the provisions of Limitation Order L-65, Conservation Order M-9-c and Conservation Order M-11-b and its actions constituted wilful violations of these orders. These violations have diverted critical material to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing: It is hereby ordered, that:

§ 1010.661 Suspension Order No. S-661.

(a) Climax Machinery Company, its successors or assigns, shall not, unless hereafter specifically authorized in writing by the War Production Board, manufacture or produce any new food slicers (or parts therefor) as specified by Limitation Order L-65, except pursuant to purchase orders, contracts or sub-contracts for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. This restriction shall not apply to repair or replacement parts for such food slicers.

(b) Nothing contained in this order shall be deemed to relieve Climax Machinery Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on November 24, 1944, and shall expire on February 24, 1945.

Issued this 17th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17860; Filed, Nov. 24, 1944,
4:05 p. m.]

PART 1183—RAILROAD EQUIPMENT

[General Limitation Order L-97, as Amended
Nov. 25, 1944]

NEW LOCOMOTIVES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the production of new locomotives for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1181.1 *General Limitation Order L-97—(a) Purpose and scope.* This order covers the production and delivery of new locomotives. The previous control in this order over used locomotives is no longer effective.

(b) *Definitions.* For the purpose of this order: (1) "Locomotives" means all types of new locomotives, including but not limited to steam, electric, diesel, diesel-electric, gasoline and gasoline-electric locomotives. This definition does not include underground mine-type locomotives.

(2) "Producer" means any person engaged in the production of new locomotives.

(c) *Restrictions on production and delivery of locomotives.* Irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any locomotives except as authorized pursuant to the provisions of paragraph (d) of this order.

(d) *Production and delivery schedules.*

(1) Each producer shall schedule (or reschedule, if necessary) his production and make deliveries of locomotives in accordance with such specific written directions as may be issued from time to time by the War Production Board.

(2) The production and delivery schedules established by any specific direction issued pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders, and may be altered only upon specific written direction of the War Production Board.

(3) If it becomes impossible for any producer to maintain production and delivery of locomotives in accordance with any such schedule, he shall immediately notify the War Production Board, and, unless otherwise directed by the War Production Board, he shall continue to produce and deliver locomotives in the order set forth in such schedule and shall postpone production and delivery of any such locomotives only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(4) If conditions permit a producer to produce and deliver ahead of schedule any locomotive scheduled under this paragraph (d), he shall immediately notify the War Production Board. He may then, unless otherwise directed in writing by the War Production Board, pro-

duce and deliver the locomotives ahead of schedule, provided he continues to produce and deliver locomotives in the order set forth in his schedules under this order and that there will be no interference with any of his other production or delivery schedules.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: L-97.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Revoked Dec. 4, 1943.

INTERPRETATION 2

The question has arisen to what extent a production and delivery schedule for a given number of locomotives, prescribed for a producer by the War Production Board pursuant to paragraph (d) (1) of Order L-97, takes precedence over any preference ratings which may be applied or extended to him, either for the locomotives themselves or for parts thereof.

A production and delivery schedule so established is protected by paragraph (d) (2), which provides that it "shall be maintained without regard to any preference ratings already assigned or hereafter assigned . . .". This protection of the schedule under Order L-97 extends not only to locomotives in completed form, but also to any locomotive parts manufactured by the producer which enter into the scheduled locomotives, to the extent that the diversion of such parts to fill rated orders would interfere with fulfillment of the prescribed schedule. (Issued April 12, 1943.)

[F. R. Doc. 44-18012; Filed, Nov. 25, 1944;
3:06 p. m.]

PART 1188—RAILROAD EQUIPMENT

[Limitation Order L-97-a, as Amended
Nov. 25, 1944]

NEW RAILROAD-TYPE CARS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the production of new railroad-type cars for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public

interest and to promote the national defense:

§ 1188.2 *Limitation Order L-97-a—*
(a) *Purpose and scope.* This order, as amended December 4, 1943, covers production and delivery of all new railroad-type cars, including new industrial cars formerly covered by Order L-97-b, which has been revoked. The previous control in that order over used industrial cars is no longer effective.

(b) *Definitions.* For the purpose of this order:

(1) "Producer" means any person engaged in the production of new cars.

(2) "Cars" means all cars of the railroad type with a nominal capacity of ten (10) tons or over, whether for use in railroad service or industrial intraplant service, which have never been sold or used.

(3) "Railroad type" car means any car, except units which are self-propelled, falling within the "Classification of Cars, Definitions and Designating Letters Of", as described in section L of the "Manual of Standard and Recommended Practice" of the Mechanical Division, Operations and Maintenance Department, Association of American Railroads, effective as of January 1, 1943.

(c) *Restrictions on production and delivery.* Irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any car except as authorized pursuant to the provisions of paragraph (d) of this order.

(d) *Production and delivery schedules.* (1) Each producer shall schedule (or reschedule, if necessary) his production and make deliveries of new cars in accordance with such specific written directions as may be issued from time to time by the War Production Board.

(2) The production and delivery schedules established by any direction issued pursuant to paragraph (d) (1) shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders, and may be altered only upon specific written direction of the War Production Board.

(3) If it becomes impossible for any producer to maintain production or delivery of cars in accordance with any such schedule, he shall immediately notify the War Production Board, and, unless otherwise directed in writing by the War Production Board, he shall continue to produce and deliver cars in the order set forth in such schedule and shall postpone production or delivery of any such cars only to the extent required by the circumstances causing his failure to maintain production or delivery as required by such schedule.

(4) If conditions permit a producer to produce and deliver ahead of schedule any cars scheduled under this paragraph (d), he shall immediately notify the War Production Board. He may then, unless otherwise directed in writing by the War Production Board, produce and deliver the cars ahead of schedule, provided he continues to produce and deliver cars in

the order set forth in his schedules under this order and that there will be no interference with any of his other production or delivery schedules.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(f) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Reports.* Producers must file semi-monthly on Form WPB-1334 reports of their deliveries of cars, in accordance with the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: L-97-a.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17982; Filed, Nov. 25, 1944;
11:22 a. m.]

PART 3033—PORTLAND CEMENT

[Limitation Order L-179, Revocation]

Section 3033.1 *General Limitation Order L-179* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17983; Filed, Nov. 25, 1944;
11:22 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-201, as Amended
Nov. 25, 1944]

AUTOMOTIVE TIRE CHAINS, TRACTOR TIRE CHAINS, AND CHAIN PARTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of tire chains for use on passenger autos, commercial vehicles, and farm tractors for defense, for private account, and for

export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.76 *Limitation Order L-201—*
(a) *Definitions.* For the purposes of this order:

(i) "Tire chain" means:
(i) A complete chain assembly, whether or not reinforced, made for use on a tire of a passenger auto, commercial vehicle, or farm tractor in order to increase the traction of the tire.
(ii) Any cross chain, lock, hook, plate, or side chain, whether or not reinforced, made for use in repairing a complete tire chain.
(iii) Any chain assembly of the strap-on or single-chain type.

(2) "Passenger auto" means any passenger vehicle propelled by an internal combustion engine and having a seating capacity of less than eleven persons.

(3) "Commercial vehicle" means any light, medium, or heavy motor truck, truck-tractor, truck trailer, off-the-highway motor vehicle, passenger carrier having a seating capacity of eleven or more persons, or tractor other than a farm tractor.

(4) "Consumer" means the owner or operator of the vehicle for which tire chains are required, or the user of such tire chains for any other purpose.

(b) *Limits on types and sizes of tire chains.* (1) A producer must not make any tire chains containing any metal other than low carbon steel, or any tire chains which are plated with metal.

(2) A producer must not make any tire chains except for use on the following sizes of tires:

(i) Tires for passenger autos: 6.00-16 (in "light car special" type only); 6.50-16; 7.00-16; 7.50-16.

(ii) Tires for commercial vehicles other than farm tractors: 6.00-16, 6.50-20/32 x 6; 7.00-20; 7.50-16; 7.50-17; 7.50-20/34 x 7; 8.25-20; 9.00-20; 9.75-20.

(iii) Tires for farm tractors: As required.

(3) All tire chain produced for passenger autos or commercial vehicles must be of the types called A, C, G, and M in Tire Chain Specifications No. 7140, copyrighted by The Chain Institute, Inc., Chicago, Illinois, published July 1, 1940.

(c) *Production of specially sized tire chain.* Tire chain in types and sizes other than those permitted by paragraphs (b) (2) and (b) (3) may also be made when individually ordered for delivery by the producer directly to the consumer. This is an exception to paragraphs (b) (2) and (b) (3).

(d) *Limits on production—*(1) *For passenger autos.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for passenger autos more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941-March 31, 1942.

(2) *For commercial vehicles.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for commercial vehicles more than 24 percent of the total weight

of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941-March 31, 1942.

(3) *For farm tractors.* Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for farm tractors more than the total weight of metals used in the production of all tire chain for farm tractors sold by him either during the year April 1, 1940-March 31, 1941, or the year April 1, 1941-March 31, 1942, whichever is greater.

(4) *Increased production in critical labor areas and requirement for special authorization.* Notwithstanding the increase in production permitted by this order, no producer's plant located in a Group I or Group II Labor Shortage Area as classified by the War Manpower Commission shall, during the period April 1, 1944-March 31, 1945, put into process for the production of tire chain under this order a total weight of metals in excess of that legally put into process during the period April 1, 1943-March 31, 1944, unless specific authorization to do so is obtained from the War Production Board. The policy of the War Production Board will be to authorize the using of an increased weight of metals for such production so as to avoid increasing requirements for labor in labor shortage areas. Any producer seeking specific authorization under this paragraph should file a written statement in triplicate with the War Production Board, Washington, D. C., explaining fully how labor requirements for the requested increase will be met.

(5) *Exclusions in determining quota.* In determining production quotas under this paragraph (d) sales of tire chain during the base period to or for the account of persons described in paragraph (e) below shall not be included.

(6) *Scheduling of tire chain production.* Each producer may schedule production of the quantity of tire chain which he is allowed to produce by this paragraph (d) regardless of preference ratings on orders for tire chain or other kinds of chain. An exception to this rule is that production of tire chain under this order shall not be permitted to delay the production and delivery of any order for tire chain or other kinds of chain rated AAA; or to delay the production or delivery more than thirty days beyond the required delivery date of any order for tire or other kinds of chain for delivery to or for the use of the Army, Navy, Maritime Commission, or War Shipping Administration.

(e) *Exceptions to applicability of this order.* With the exception of the restrictions contained in paragraph (b) (1), the restrictions of this order shall not apply to:

(1) Any contract or purchase order for material to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Veterans' Administration, the Civil Aero-

navics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, or the Treasury Department under Treasury Procurement Supply (TFS) contract.

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Exceptions and appeals—*(1) *Production under Priorities Regulation 25.* Any person who wants to use more metal in the production of tire chains than the quota fixed in paragraph (d) (1), (d) (2) or (d) (3) (including a person who has no quota under this order) may apply for permission to do so as explained in Priorities Regulation 25. The provisions of paragraph (d) (6) do not apply to production authorized under Priorities Regulation 25.

(2) *Appeals.* Any appeal from the provisions of this order other than the restrictions in paragraphs (d) (1), (d) (2) and (d) (3) shall be made on Form WPB-1477 (formerly PD-500) or by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provision appealed from and stating fully the grounds of the appeal. No appeal should be filed from the provisions of paragraphs (d) (1), (d) (2) and (d) (3).

(i) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: L-201.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17924; Filed, Nov. 25, 1944;
11:22 a.m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328, General Direction 3]

PRODUCTION OF LAUNDRY NETS

The following direction is issued pursuant to Conservation Order M-328:

No person who has produced any laundry nets during the year 1944 shall use any cotton yarn or produce any cotton goods during the remainder of the fourth calendar quarter of 1944, or during any subsequent calendar quarter, unless he produces in such quarter laundry nets having a poundage at least equal to the poundage of laundry nets produced by him in the first calendar quarter of 1944.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17987; Filed, Nov. 25, 1944;
11:22 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 4]

PRIORITIES ASSISTANCE FOR COTTON TEXTILE FOR THE PRODUCTION OF HOOK AND EYE TAPE—1ST QUARTER 1945

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of hook and eye tape may apply on Form WPB-2842 for priorities assistance to obtain cotton print cloth and outing flannel to be used for the manufacture of hook and eye tape. Applications must be filed with the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., not later than December 9, 1944. Materials for which priorities assistance is given must be purchased for delivery not later than March 31, 1945, and must be consumed in the production of hook and eye tape prior to April 30, 1945.

The total amount of material for which priorities assistance will be granted under this program is limited. If the applications received exceed the total quantity of material allotted to this program, applications will be granted pro rata.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17985; Filed, Nov. 25, 1944;
11:22 a. m.]

PART 3291—CONSUMERS' DURABLE GOODS
[General Limitation Order L-33, as Amended Nov. 25, 1944]

PORTABLE ELECTRIC LAMPS AND SHADES

§ 3291.120 *General Limitation Order L-33—(a) Definitions.* For the purposes of this order:

(1) "Portable lamp" means any detachable device (excluding lamp shades and incandescent, fluorescent or electric discharge lamps or tubes covered by Limitation Order L-28-a), the primary function of which is to furnish light for interior illuminating purposes by means of incandescent, fluorescent or electric discharge lamps or tubes. "Portable

lamp" does not include any flashlight or other battery-operated lighting device, mechanics' lamp, industrial lamp designed specifically for use in conjunction with any industrial machine, tool or assembly bench or other similar factory equipment, or any overhead suspended fixture (whether portable or not).

(2) "Socket" means any receptacle on a portable lamp designed to receive an incandescent, fluorescent or electric discharge lamp or tube.

(3) "Lamp cord" means any insulated cord used to conduct electricity to the socket on a portable lamp.

(4) "Plug" means any device attached to a lamp cord and fitting into a fixed receptacle for the purpose of transmitting electric current through the lamp cord.

(5) [Deleted Nov. 25, 1944.]

(6) "Lamp shade" means any shade or metal reflector designed for use with a portable lamp.

(7) "Manufacturer" means any person engaged in the business of manufacturing or assembling portable lamps or lamp shades or parts for such products.

(8) "Preferred order" means any purchase order, contract or subcontract for delivery of portable lamps or lamp shades to or for the account of the Army or Navy of the United States, the Veterans' Administration, the United States Maritime Commission or the War Shipping Administration.

(b) *General restrictions.* (1) [Deleted May 23, 1944]

(2) No manufacturer shall make or assemble any portable lamps or parts for them except to fill preferred orders or as may be authorized under Priorities Regulation 25. This does not restrict the decoration of completely assembled lamps even though it requires disassembly and reassembly.

(3) [Deleted Nov. 25, 1944.]

(4) The restrictions of Copper Conservation Order M-9-c shall not apply to the following items, provided that they were in the inventory of the manufacturer or his suppliers on December 10, 1942:

(i) Nos. 18 or 20 B and S Gauge copper conductor cords in cut lengths of not more than 11 feet.

(ii) Sockets, provided that neither the caps, shells or screw shells contain any copper or copper base alloy other than plating.

(iii) Molded plugs.

(iv) Plugs, other than molded, provided that such plugs contain no copper or copper base alloy other than in screws or in plating materials.

(5) [Deleted May 23, 1944]

(6) No manufacturer shall make any lamp shades, or parts for lamp shades, containing any silk, phenolic plastics or metal except (i) iron and steel in wire frames, (ii) to fill preferred orders, or (iii) as may be authorized under Priorities Regulation 25. The War Production Board will not generally make any allotments of iron and steel for wire frames for lamp shades except to fill preferred

orders or for production under Priorities Regulation 25.

(c) [Deleted Nov. 25, 1944.]

(d) [Deleted Aug. 21, 1944]

(e) [Deleted Aug. 21, 1944]

(f) *Reports.* Every manufacturer who makes any portable lamps or lamp shades to fill preferred orders must file Form WPB-1600 with the War Production Board, Washington 25, D. C., Ref: L-33, according to the instructions accompanying that form.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* No appeals should be filed from this order.

(i) *Applicability of other orders and regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time. If any other order of the War Production Board limits the use of any material in the production of portable lamps and shades to a greater extent than this order does, the other order shall govern, except to the extent indicated in paragraph (b) (4) of this order.

(j) [Deleted May 23, 1944]

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Consumers' Durable Goods Division, War Production Board, Washington 25, D. C., Ref.: L-33.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Superseded May 23, 1944.

[F. R. Doc. 44-18011; Filed, Nov. 25, 1944;
3:06 p. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 52 as amended Nov. 25, 1944]

CELLULOSE ACETATE AND CELLULOSE ACETATE BUTYRATE MOLDING POWDER

§ 3293.1052 *Schedule 52 to General Allocation Order M-300—(a) Definition.* "Acetate molding powder" means both cellulose acetate molding powder and cellulose acetate butyrate molding powder, produced from cellulose ester flake. The definition of cellulose ester flake appears in Schedule M-300-50. The term

"acetate molding powder" does not include scrap.

(b) *General provisions.* (1) Acetate molding powder is subject to allocation under General Allocation Order M-300 as an Appendix B material. The initial allocation date is July 1, 1943, when this material was first put under allocation by Order M-326-a (subsequently amended to transfer acetate molding powder to M-326-b). The allocation period is the calendar month.

(2) The small order exemption is 100 pounds of acetate molding powder per person per month. Small order quantities may be received in addition to allocated quantities for experimental use and also to complete current jobs for which acetate molding powder has been allocated, notwithstanding Order M-300 (paragraph (p) (2)).

(3) Any molder specifically authorized to use acetate molding powder may furnish the material to another molder or having actually received formal authorization, may direct the supplier to deliver to another molder, for processing pursuant to toll agreement; provided, that he instructs the other molder to use the material for the exact purpose for which the molder has been authorized to use it. The molder who is to use the material may accept and use it pursuant to these instructions without the specific authorization of the War Production Board.

(c) *Transition from Appendix A to Appendix B control.* Regular and interim allocations issued under this schedule prior to November 25, 1944, remain in effect without limitation on duration of authorization for use but subject to the limitation of Order M-300 with respect to duration of authorization for delivery. Pending applications need not be refilled.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for cellulose acetate molding powder and cellulose acetate butyrate molding powder, specifying which one in the heading. Send four copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52. The unit of measure is pounds. An aggregate quantity may be requested without specifying customers' names, for delivery on uncertified exempt small orders. Fill in Table II.

(e) *Certified statements of use.* Each person placing orders for delivery of more than 100 pounds of acetate molding powder per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. In the case

of civilian requirements, specify "Civilian" without further end use description. In the case of military requirements, specify the product, as "Thread", "Protector", "Buttons", "Combs", and specify quantities requested for each applicable military contract number or Lend-Lease requisition and contract number. Proposed use may also be specified as "for resale on further authorization", "for resale on exempt small orders", or "for export" (specify destination and export license number).

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-52.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17986; Filed, Nov. 25, 1944;
11:22 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-54, Direction 1]

RELEASE OF MOLASSES FOR MANUFACTURE OF MIXED FEED

The following direction is issued pursuant to Conservation Order M-54.

(a) *What this direction does.* This direction authorizes suppliers of molasses (producers, primary distributors, secondary distributors and importers as defined in Order M-54) to distribute a limited quantity of molasses to Class 2 purchasers (as defined in that order) for the manufacture of mixed feeds, upon receipt of a WFA (War Food Administration) certificate. The direction also tells the Class 2 purchasers how to acquire this molasses free of the quarterly quota restrictions set forth in paragraph (c) (1) (ii) of Order M-54. Molasses acquired under this direction may be used by a Class 2 purchaser, free of the quarterly consumption quota restrictions in paragraph (c) (1) of Order M-54. No Class 2 purchaser may acquire or use molasses under this direction, free of the quota restrictions of M-54, unless he obtains a WFA certificate.

(b) *Procedure governing deliveries.* Any supplier may deliver molasses to a Class 2 purchaser without regard to the quantity of molasses which such purchaser may acquire under paragraph (c) (1) (ii) of Order M-54, and without receiving from the purchaser the certification required by paragraph (c) (2) of that order: *Provided*, That the supplier receives instead from the purchaser a WFA certificate, stating that the purchaser is entitled to receive a specified quantity and kind of molasses for the manufacture of mixed feeds. This direction is the supplier's authorization to make that delivery upon receipt of the WFA certificate. No supplier may deliver a greater quantity or a different kind of molasses to a Class 2 purchaser under this direction than the quantity and kind specified on the WFA certificate.

(c) *Procedure governing acquisition and use of molasses under this direction.* Any Class 2 purchaser desiring to acquire molasses in excess of the quantity permitted under paragraph (c) (1) (ii) of Order M-54 should apply for permission to do so by letter addressed to the Feed Management Branch, War Food Administration, Washington 25, D. C. If War Food Administration determines that the application should be granted, it will issue a WFA certificate to the purchaser entitling him to receive and use a specified quantity and type of molasses for the manufacture of mixed feeds. The Class 2 purchaser may then place a purchase order for the specified quantity and kind of molasses with a supplier and he must surrender his WFA certificate to the supplier. A Class 2 purchaser acquiring molasses in this manner may use it for the manufacture of mixed feeds without regard to the restrictions of paragraph (c) (1) of Order M-54. No beet molasses may be used for the manufacture of mixed feeds as provided in paragraph (c) (5) of Order M-54.

(d) *Time limit on use of WFA certificate.* After midnight December 31, 1944, no WFA certificate issued pursuant to this direction may be used to get molasses, and no supplier shall accept any such certificate after that date. In some instances, WFA certificates may state on their face that they expire before that date, in which case the certificate may not be used by the purchaser or accepted by the supplier after the expiration date appearing on the certificate.

Issued this 25th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18014; Filed, Nov. 25, 1944;
4:33 p. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257 as Amended Aug. 31, 1944, Amdt. 2]

Section 1029.15 *Limitation Order L-257*, is amended in the following respect:

Change the phrase "(except tractors)" in the fifth and sixth lines of paragraph (j) (1) to read "(except wheel-type tractors)".

Issued this 27th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18940; Filed, Nov. 27, 1944;
11:24 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-290, as Amended Nov. 27, 1944]

CONTAINERBOARD

§ 3270.1 *Conservation Order M-290—*
(a) *Definitions.* For the purpose of this order:

(1) "Mill operator" means any person who operates a congregation of pulp preparation, roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of containerboard.

(2) "Containerboard" means the types and grades of paperboard classified un-

der caption No. 211000 through 219000 in Form WPB-514, as currently revised. It shall also mean corrugated or solid fibre sheets of the kind used by "sheet plants" and "cleated-box manufacturers" in making containers or any other product. The term shall not include any item which is defined in Order P-146 as a "fibre shipping container"—such as a solid fibre (.045 or heavier) or corrugated fibre sheet or roll to be used for wrapping, packaging or otherwise protecting a product or material for shipment.

(3) "Container manufacturer" means any person (including any sheet plant operator, fibre-drum manufacturer, and any cleated-box manufacturer) who manufactures shipping containers or parts therefor, made wholly or in part from any type of containerboard.

(4) "Sheet-plant" means any container-manufacturing plant which does not have either corrugating or pasting equipment.

(5) "Cleated-box manufacturer" means any manufacturer of shipping containers made of corrugated or solid fibre sheets attached to wooden cleats.

(6) "Sheet supplier" means any container-manufacturer who supplies corrugated or solid fibre sheets to sheet-plants, whether owned by him or not.

Restrictions on Delivery and Receipt of Containerboard

(b) *Restrictions on acceptance of delivery.* On and after April 1, 1944, no person shall accept delivery of containerboard except as authorized by the War Production Board in writing.

(c) *Sheet plants and cleated box manufacturers.* Sheet plants and cleated box manufacturers who have been authorized to accept delivery of containerboard may place orders for corrugated or solid fibre sheets with sheet suppliers. If the orders have been properly certified as provided in the next paragraph the supplier may obtain the amount of containerboard which he will use to fill the orders in addition to that which the War Production Board has permitted him to receive by authorization issued directly to him. In certifying his orders for this additional containerboard the supplier shall give his customer's authorization number and date.

(d) *Delivery restrictions.* On and after April 1, 1944, no person shall deliver containerboard except on an order accompanied by a certificate, manually signed by the purchaser or an authorized official of the purchaser, in-substantially the following form:

Authorized under Order M-290. Date of authorization _____, authorization number _____

This certificate shall constitute a representation to the War Production Board (subject to the penalties of section 35A of the United States Criminal Code) that the purchaser is authorized under this and other applicable War Production

Board regulations and orders to place the delivery order and to receive the item(s) ordered for the purpose for which ordered. The standard certification of Priorities Regulation 7 must not be used instead of the certification described in this paragraph (d).

(d-1) *Exception to requirement of authorization to receive containerboard.* A person who has been granted an authorization by the War Production Board to receive containerboard may deliver such containerboard to another person to be processed, and such other person need not have War Production Board authorization or give the required certificate to accept the delivery if the person having the authorization retains ownership of the containerboard and invoices and sells the end product made from the containerboard. He must report the shipments of products so made on Form WPB-3077 in accordance with paragraph (s) below.

Authorizations

(e) *V-board.* Normally authorizations to accept delivery of containerboard for use in the manufacture of V-boxes will be on a monthly basis and will be issued separately on Form WPB-2492, Supplement No. 1, immediately prior to the month in which such containerboard is to be received. However, they may be issued at any other time and in any other manner (as by telegram or letter).

(f) *Containerboard other than V-board.* Authorizations to accept delivery of containerboard other than that described in paragraph (e) above will be either:

(i) "Basic authorizations" which will permit the acceptance of a specific amount of containerboard;

(ii) "Incentive authorizations" which will permit the acceptance of an indefinite amount of containerboard during a particular quarter. These incentive authorizations will be identified by the inclusion of the letter "X" in the authorization number. They will be issued to consumers of containerboard whose rating patterns as reported to the War Production Board on Form WPB-3077 are above average.

Both basic and incentive authorizations will generally be issued on Form WPB-2492 on a quarterly basis prior to the beginning of the pertinent quarter. They may, however, be issued at any other time and in any other manner, such as by telegram or letter.

(g) *Specifications of suppliers and delivery date; cancellation or amendment of authorizations.* (1) The authorizations described in paragraphs (e) and (f) above may specify the supplier with whom all or part of the authorized orders may be placed and the date as of which said orders are to be delivered.

(2) The War Production Board may cancel or amend any authorization for

the purchase of containerboard at any time prior to its complete fulfillment.

(h) *Acceptance of authorized orders.* No person shall fill any order certified as carrying an incentive authorization in any calendar quarter during which he has not previously shipped on "V-board", "basic authorization" and "small delivery" (see paragraphs (i) and (j)) orders, a tonnage of containerboard equal to at least ninety-five percent of his "proposed machine production" of containerboard for that quarter, as reported in Column A of Form WPB-2973. "V-board" and "basic authorization" orders will be identifiable by the fact that they will not have the letter "X" in the authorization number which must be set forth in the certificate provided by paragraph (d). "Small delivery" orders will be identifiable by the special certificate provided in paragraph (i).

Exceptions for Small Deliveries

(i) *Purchasers.* A person who accepts delivery of less than 2½ tons of containerboard from all sources in any calendar quarter shall not be required to obtain the written authorization of the War Production Board to get containerboard in that quarter. However, when he buys in lots of more than fifty pounds he must accompany his order with a certificate in the following form:

The undersigned certifies that the amount of containerboard delivered to him and ordered for delivery to him during the calendar quarter in which delivery of this order is to be made (including the amount specified in this delivery order), does not exceed 2½ tons.

Any person may accept delivery of containerboard in lots of less than fifty pounds without the authorization of the War Production Board and without filing the foregoing certificate.

(j) *Suppliers.* Any supplier of containerboard may deliver it to a person purchasing in accordance with the preceding paragraph (i) regardless of the provisions of paragraph (d) of this order.

Directions

(k) *Directions.* The War Production Board may, from time to time, issue directions of the following kinds:

(1) *Mill production.* Directions requiring that all or any part of any mill operator's containerboard production during any period shall be in specified types and grades. Such directions will not be inconsistent with Order M-93 or actions taken under that order.

(2) *Mill shipment.* Directions requiring that all or any part of any mill operator's containerboard production shall be shipped (in such quantities, types, and grades as may be specified) to specified persons and at specified times, whether or not the containerboard is produced for other persons.

(3) *Sheet-supplier shipments.* Directions requiring that all or any part of any sheet-supplier's supply of containerboard sheets shall be shipped in such quantities, types, and grades as may be

specified, to specified sheet-plants or cleated-box manufacturers.

(4) *Observance of directions.* Directions issued pursuant to this paragraph (k) shall, to the extent stated therein, take precedence over other deliveries of containerboard. The War Production Board may (with or without conditions) rescind or modify any directions issued pursuant to this paragraph (k) in any case in which it decides that there are special circumstances which would cause fulfillment of the direction to be impractical. In order to receive consideration, such special circumstances must be presented by telegram or letter to the War Production Board within seventy-two hours after they have arisen. If the War Production Board shall, after receipt of such facts, not give its written approval to an application for rescission or modification of a direction, the direction shall be fulfilled in accordance with its original terms.

Unless the War Production Board specifically permits him to do so, in writing, no mill operator or other supplier shall require customers to deliver waste in return for containerboard shipped on any authorized order.

Restrictions on Use of Authorized Containerboard

(l) *Use of authorized or directed containerboard.* Authorizations or directions issued under paragraphs (e), (f), or (k) may specify the use to which all or any part of the authorized or directed containerboard may be put. In such cases, no person shall use any such containerboard except for the purpose specified. This prohibition does not, however, prevent the substitute use of any equivalent amount of containerboard of suitable grades.

(m) *Production directions.* The War Production Board may, from time to time, direct any person to fill any designated order or class of orders involving the use of containerboard and to use in filling that order, any allocated or unallocated containerboard available to him.

(n) *Limitations on production of fabricated containerboard products.* No consumer of containerboard shall put into process, during any calendar month, more than the following amount of containerboard:

(1) 36½ per cent of his basic authorization (see paragraph (f) (i)) of containerboard for the quarter in which the month in question falls, plus

(2) The amount of containerboard which was in his inventory on the first day of that month.

Within these limitations, consumers of containerboard must accept and fill orders for fabricated products in accordance with Priorities Regulation No. 1.

Ratings

(o) *Prohibition against use of ratings.* No person shall use any rating to get containerboard and no person selling containerboard shall require a rating as a condition of sale. Any rating purporting to be applied or extended to containerboard shall be void and no per-

son shall give any effect to it in filling an order.

Inventory Restrictions

(p) *Inventories.* No person shall knowingly deliver to any person, and no person shall accept delivery of any quantity of containerboard if the total inventory in the hands of the person accepting delivery is, or by virtue of acceptance will become, either (1) in excess of two carloads, or (2) in excess of his reasonably anticipated requirements for the next thirty days, whichever is greater.

(q) *Amounts of containerboard which may be ordered.* No person may place orders for more containerboard than he has been authorized to receive under this order, regardless of whether or not he intends to cancel or reduce some of his orders before they are delivered.

In addition, authorized purchase orders must specify delivery at a time when a person reasonably anticipates that he will be entitled to receive the amount of containerboard he has ordered within the inventory limitations of Priorities Regulation No. 1 or of paragraph (p) of this order, whichever is the more restrictive.

Applications and Reports

(r) *Applications for permission to receive containerboard.* Each person requiring authorization to accept delivery of containerboard during any calendar quarter shall file application on Form WPB-2492 in the manner and at the time stated in the instructions on that Form.

(s) *Reports required from all container manufacturers.* Each container manufacturer who requires authorization for the acceptance of containerboard (i. e. all those who are not exempt from this requirement under paragraph (l)) shall report to the War Production Board on Form WPB-3077 in accordance with the instructions appearing on that form.

(t) *Reports by manufacturers of V-boxes.* In addition to the reports required by paragraphs (r) and (s), above each manufacturer of V-boxes shall, on or before the 10th day of each month, report to the War Production Board on Form WPB-2492-Supplement No. 1, in accordance with the instructions on that form.

(u) *Budget approval.* The reporting requirements set forth in paragraphs (r), (s) and (t) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(v) *Other reports.* All persons affected by this order shall execute and file with the War Production Board, such other reports and questionnaires as said Board shall from time to time request subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Miscellaneous

(w) *Multiple function organizations.* Where any person (including any parent subsidiary organization) engages in two or more of the types of operations subject to this order (for instance, if he is both a producer or supplier and a converter of containerboard), the provisions

of this order applicable to each type of function shall apply separately to his operations of that type. For example, a container-manufacturer may not receive containerboard from his own mill without an authorization; or part or all of that mill's production may be made the subject of a direction under paragraph (k).

(x) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(y) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(z) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Paperboard Division, Washington 25, D. C., Ref.: M-290.

Issued this 27th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Paragraph (b) of Order M-230 provides that no person shall accept delivery of containerboard except as authorized by the War Production Board in writing. This prohibition is not only applicable to container manufacturers, sheet plants, cleated box manufacturers, etc., but covers any person who requires the materials defined as containerboard by paragraph (a) (2) for any purpose. For instance, manufacturers of insulation, cedar closets, filing cabinets, and all other users of containerboard are barred from accepting delivery of this material without authorization. Pursuant to paragraph (d) a person who delivers containerboard to any person (not alone container manufacturers) except on an order certified as provided in that paragraph is in violation of Order M-230.

The material defined as containerboard in paragraph (a) (2) is any grade of paperboard classified under caption No. 211,000 through 219,000 in Form WPB-514 and any corrugated or cold fibre sheets of the kind used by sheet plants and cleated box manufacturers in making containers or any other product. If the sheets are of a kind used by sheet plants or cleated box manufacturers, they are covered by the order and cannot be acquired without authorization, regardless of whether they are to be used for the fabrication of containers or not.

Cases falling within the "small deliveries" exceptions provided by paragraphs (i) and (j) of the order are an exception to this rule. In addition, attention is called to the fact that items which fall within the definition of "fibre shipping containers" in Order P-146 are excluded from the definition of "containerboard" in Order M-230. (Issued Apr. 12, 1944.)

[F. R. Doc. 44-18941; Filed, Nov. 27, 1944; 11:23 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300,
Schedule 73]

PINE OIL

§ 3293.1073 *Schedule 73 to General Allocation Order M-300*—(a) *Definition*. "Pine oil" means any mixture of secondary or tertiary terpene alcohol and terpene hydrocarbons produced by steam and solvent distillation by wood Naval stores producers, or by destructive distillation by wood Naval stores producers, or by chemical synthesis. The term does not include the monocyclic terpene hydrocarbon solvent known as "Dipentene".

(b) *General provisions*. Pine oil is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is April 1, 1944, when pine oil first became subject to allocation under Order M-365 (revoked). The allocation period is the calendar month. The small order exemption is 54 gallons per month per person.

(c) *Transition from M-365*. Regular and interim allocations of pine oil heretofore issued under Order M-365 (revoked), are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

(d) *Special exemption for mines serialized under Preference Rating Order P-56*. All deliveries of pine oil to persons holding serial numbers under Preference Rating Order P-56 are exempt from the provisions of this order, provided, however, that:

(1) Such persons shall place on their purchase orders the endorsement appearing in paragraph (g) of Preference Rating Order P-56; and

(2) Suppliers shall report each month on Form WPB-2947 the total quantity of proposed monthly deliveries of pine oil to such persons, and list the serial numbers of such persons.

(e) *Suppliers' applications on WPB-2947*. Each supplier seeking authorization to use or deliver shall file application on Form WPB-2947 (formerly PD-602). Filing date is the 20th day of the month before the proposed delivery month. File separate sets of forms for steam and destructively distilled grades. Indicate location of supply. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-73. The unit of measure is gallons. Fill in Table II except for Column 8. It is not necessary to report separate figures for each grade. After grouping customers according to end use and listing such customers alphabetically within each group with the quantity requested by each customer specified in Column 4, specify in Column 1 "Serialized mines" and below it list the serial numbers appearing on purchase orders on hand for delivery of pine oil during the following

month, to persons who placed on their purchase orders the endorsement appearing in paragraph (g) of Order P-56. Opposite it in Column 4, give total gallonage of such purchase orders. If pine oil is desired for resale on small orders, specify in Column 1 "Small orders" and opposite in Column 4 indicate an estimate of the aggregate amount needed for such deliveries.

(f) *Certified statements of use*. Each person placing orders for delivery of more than 54 gallons of pine oil per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. Where the pine oil is to be used for the manufacture of soap, insecticides, disinfectants or textiles, the particular gallonage of pine oil needed for each end use should be specified for each product. For example, if the product is disinfectant, the certificate should state the end uses for which the disinfectant is to be sold, and the specific quantity of pine oil needed to make the disinfectant for each end use. In other words, if the disinfectant is to be sold directly to the Army and to the Navy, and also for use in public buildings, specify opposite each of these three end uses, the gallonage of pine oil needed to make the disinfectants to be delivered to each of these end uses. Where the primary product is to be sold on federal, state or municipal contracts or purchase orders, the contract or purchase order numbers should be specified on the certificate. If the primary product is textiles, it should be broken down into the type of textiles to be produced and the same end use information as described above given for each type of textile. Persons desiring to purchase pine oil for resale should specify "For resale on further authorization" as an end use. Persons desiring to purchase for export should certify "For export on further authorization" as an end use. Customer's orders accompanied by such certifications should be in the hands of suppliers not later than the 15th day of the month preceding the month in which delivery is to be made.

(g) *Budget Bureau approval*. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications to War Production Board*. Reports and communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-73.

Issued this 27th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18042; Filed, Nov. 27, 1944;
11:23 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-365, Revocation]

PINE OIL

Section 3293.576 *Allocation Order M-365* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Pine oil is subject to allocation under General Allocation Order M-300 as an Appendix B material, subject to Schedule 73, issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-365 are effective under Schedule 73, but are limited in duration as if originally issued under that schedule.

Issued this 27th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18043; Filed, Nov. 27, 1944;
11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1381—SOFTWOOD LUMBER

[RMPR 161, Amdt. 18]

WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 161 is amended in the following respects:

1. In § 1381.154 Table (F) Noble Fir is amended to read:

(F) NOBLE FIR

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
Aircraft Grade.....	\$45.00	\$45.00	\$45.00	\$43.00
Suitable for peeling.....	35.00	35.00	35.00	33.00
No. 1.....	23.00	23.00	23.00	21.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00

*Copies may be obtained from the Office of Price Administration.

19 F.R. 9668, 10644.

2. Section 1381.155, paragraphs (c) and (d) are amended to read:

(c) *Short lengths.* For blocks of peeler logs in lengths of less than 16 feet, which otherwise meet the requirements of standard peeler grades deduct \$5.00 per 1,000 feet, log scale, from the maximum prices in the price tables of § 1381.154 above, and for logs of all species other than peeler or wood logs in lengths less than 12 feet which meet the standard log grade requirements other than length, deduct \$1.00 per 1,000 feet log scale from the camp run maximum price of that species given in the tables of § 1381.154 above.

(d) *Cull logs.* Any logs of the species covered in the above table but not specifically priced shall be "culled out", and the maximum price at which they may be sold or purchased at any delivery point provided for in § 1381.153 shall be \$1.00 per thousand feet, log scale, without the deduction for non-delivery to towable waters required by § 1381.153 (b).

3. In § 1381.156, paragraphs (a), (b), and (f) are amended to read:

(a) An addition of \$1.00 per M' log scale may be made by any seller to the maximum price of any West Coast logs produced by any company whose entire logging operation is operated 48 hours or more per week in production.

(b) *Cancellations.* All "overtime addition" authorizations for 54-hour and 60-hour overtime operators issued under this § 1381.156 prior to November 25, 1944, are cancelled, effective November 25, 1944.

(f) *Exceptions from requirement.* When a company which has previously operated as an overtime company, and which is in good faith attempting to operate on a regular overtime basis, finds that in a particular month it is impos-

sible for particular sides or its entire operation to meet the requirements, due to weather conditions, labor stoppages, or transportation interruptions beyond its control, the operator is automatically granted an exemption from the requirements of this section on all logs actually produced under overtime conditions, providing he shall have filed a notice of the interruption of his operations with the appropriate District Office of the Office of Price Administration. The notice must state the reason for the interruption of operations and the length of time involved.

4. Section 1381.160 (b) is amended to read as follows:

(b) *Grades and scales.* All original scale records shall show gross and net measurements in diameter and length and net scale volume of each log, and shall designate the type of defect by appropriate symbols; except that the Portland District Office may waive the gross or net measurement requirement upon application from any approved scaler listed in Appendix B if the application shows that the original scale records customarily used in that district did not conform to the requirement of this section. Cedar slabs and chunks shall be so designated and the net scale only shall be shown.

5. In Appendix A, (a) under the caption "Select spruce sawmill logs", in the third paragraph the reference "No. 1 log" is changed to read "Select log"; under the caption "No. 1 Sitka Spruce logs", at the end of the first paragraph the period is changed to a comma and the words "and shall not be less than 12 feet in length" are added; under the caption "Rescales or check scales", the last sentence of the first paragraph is changed to read: "In either instance, the rescale shall be made without represen-

tation from either the buyer or seller and the rescale shall be the final scale and grade for that particular lot of logs except that if a difference of 5% or less in value is shown, the original scale shall be final scale"; and under the caption "Other species" a new provision is added to read:

Aircraft grade-noble fir. Aircraft grade-noble fir means a log which is selected from a suitable for peeling, No. 1, or No. 2 grade of noble fir log, and which:

(a) Is not less than 26 inches top diameter and not less than 16 feet long;

(b) Is straight grained so that the majority of the clear lumber can be produced with a slope of grain not greater than one in fifteen;

(c) If defects for which a scale deduction is made are present, such defects are permitted provided the size and location thereof will not prevent the entire log from producing 50 percent No. 2 clear and better or B and better lumber;

(d) Has reasonably uniform annual rings, not fewer than eight to the inch and within the clear portion of the log; and

(e) Is free of deep bark seams or other serious defects within the clear portion of the log.

This amendment shall become effective November 25, 1944.

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17638; Filed, Nov. 25, 1944; 11:51 a. m.]

PART 1388—DEFENSE RENTAL AREAS
[Hotels and Rooming Houses, Amdt. 37]

WINSLOW, ARIZ., ETC.

Items 18a, 22a, 35b, 39b, 44b, 74b, 75a, 111a, 123a, 124a, 136a, 167b, 193a, 241a, and 368a are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

Defense rental area	State	County or counties in defense rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(18a) Winslow.....	Arizona.....	In Navajo County Superintending Districts 1 and 2, except those portions lying within the Navajo Indian Reservation and the Sitgreaves National Forest.	July 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(22a) Hot Springs.....	Arkansas.....	Garland.....	Mar. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(35b) San Benito.....	California.....	San Benito.....	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(39b) Santa Barbara.....	California.....	In the County of Santa Barbara the Judicial Townships 1, 2, and 3, and.....	Sept. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(44b) Greeley.....	Colorado.....	Weld.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(74b) Gainesville.....	Georgia.....	Hall.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(75a) Ludowici.....	Georgia.....	Long.....	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(111a) Iowa City.....	Iowa.....	Johnson.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(123a) Danville, Ky.....	Kentucky.....	Boyle.....	Oct. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(124a) Lexington.....	Kentucky.....	Clark and Fayette.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(136a) Eastport.....	Maine.....	In the County of Washington, in the City of Eastport and the Towns of Lubec, Ferry, Fentrebroke, and Robbinston.	Mar. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(167b) Lamar.....	Mississippi.....	Lamar.....	July 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(193a) Belen.....	New Mexico.....	That portion of Valencia County lying east of Rio Puerco River.	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(241a) Washington Court House, Ohio.....	Ohio.....	Fayette.....	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(368a) Cody-Lovell.....	Wyoming.....	That portion of Big Horn County lying outside of the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944

This amendment shall become effective December 1, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-17993; Filed, Nov. 25, 1944; 11:48 a. m.]

¹ 9 F. R. 11322, 11540, 11610, 11787, 12414, 12866, 12967.

PART 1388—DEFENSE RENTAL AREAS

[Housing,¹ Amdt. 40]

WINSLOW, ARIZ., ETC.

Items 18a, 22a, 35b, 39b, 44b, 74b, 75a, 111a, 123a, 124a, 136a, 167b, 193a, 241a, and 368a are added to Schedule A of the Rent Regulation for Housing to read as follows:

Defense-rental area	State	County or counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(18a) Winslow.....	Arizona.....	In Navajo County Supervisorial Districts 1 and 2, except those portions lying within the Navajo Indian Reservation and the Sitgreaves National Forest.	July 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(22a) Hot Springs.....	Arkansas.....	Garland.....	Mar. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(35b) San Benito.....	California.....	San Benito.....	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(39b) Santa Barbara.....	California.....	In the County of Santa Barbara the Judicial Townships 1, 2, and 3.	Sept. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(44b) Greeley.....	Colorado.....	Weld.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(74b) Gainesville.....	Georgia.....	Hall.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(75a) Ludowici.....	Georgia.....	Long.....	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(111a) Iowa City.....	Iowa.....	Johnson.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(123a) Danville, Ky.....	Kentucky.....	Boyle.....	Oct. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(124a) Lexington.....	Kentucky.....	Clark and Fayette.....	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(136a) Eastport.....	Maine.....	In the County of Washington, the City of Eastport and the Towns of Lubec, Perry, Pembroke, and Robbinston.	Mar. 1, 1944	Dec. 1, 1944	Jan. 15, 1944
(167b) Lamar.....	Mississippi.....	Lamar.....	July 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(193a) Belen.....	New Mexico.....	That portion of Valencia County lying east of Rio Puerco River.	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(241a) Washington Court House, Ohio.....	Ohio.....	Fayette.....	Oct. 1, 1943	Dec. 1, 1944	Jan. 15, 1944
(368a) Cody-Lovell.....	Wyoming.....	That portion of Big Horn County lying outside of the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.	Jan. 1, 1944	Dec. 1, 1944	Jan. 15, 1944

This amendment shall become effective December 1, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-17992; Filed, Nov. 25, 1944;
11:48 a. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Designation and Rent Declaration 31,
Amdt. 25]

DESIGNATION OF CERTAIN AREAS AND RENT
DECLARATION RELATING TO SUCH AREAS

Correction

In F. R. Doc. 44-16486, appearing on page 12866 of the issue for Friday, October 27, 1944, the designation in brackets should read as set forth above.

¹ 9 F.R. 11335, 11541, 11610, 11797, 12414, 12866, 12967.

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,¹
Amdt. 29]

DESIGNATION OF CERTAIN AREAS AND RENT
DECLARATION RELATING TO SUCH AREAS

In § 1388.1201 of Designation and Rent Declaration 25, item 266 is amended and items 269 and 270 are added to read as follows:

- (266) Hot Springs, Ark., County of Garland.
- (269) Malvern, Ark., County of Hot Spring.
- (270) Clark County, Ark., County of Clark.

This amendment shall become effective December 1, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-17994; Filed, Nov. 25, 1944;
11:48 a. m.]

¹ 9 F.R. 5820, 11540, 11798, 12865, 12967.

PART 1388—DEFENSE RENTAL AREAS
[Designation and Rent Declaration 31,¹ Amdt. 29]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

In § 1388.1341 of Designation and Rent Declaration 31, items 2, 4, 5, 7, 13, 15, 20, 27, 31, 45, are amended, and items 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and 129 are added to read as follows:

(2) Arizona.....	Arizona.....	That portion of the State of Arizona not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except that portion of Mohave County which is south of the Colorado River, and in Navajo County the Superstition Districts 1 and 2, except those portions lying within the Navajo Indian Reservation and the Sitgreaves National Forest.
(4) California.....	California.....	That portion of the State of California not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Imperial and San Benito.
(5) Colorado.....	Colorado.....	That portion of the State of Colorado not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Boulder, Chaffee, Garfield, Mesa, and Weld.
(7) Georgia.....	Georgia.....	That portion of the State of Georgia not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Dublin, Hall, Long, Sumter, Thomasville, and Ware.
(11) Iowa.....	Iowa.....	That portion of the State of Iowa not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Jasper, Jefferson, Johnson, Wapello, and Woodbury.
(13) Kentucky.....	Kentucky.....	That portion of the State of Kentucky not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Ballard, Boyle, Clark, Daviess, and Fayette.
(15) Maine.....	Maine.....	That portion of the State of Maine not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the City of Eastport, and the Towns of Lubec, Perry, Pembrooke, and Robbinston, in the County of Washington.
(20) Mississippi.....	Mississippi.....	That portion of the State of Mississippi not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Jones and Lamar.
(27) New Mexico.....	New Mexico.....	That portion of the State of New Mexico not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Curry, De Baca, Roosevelt, San Miguel, and the portion of Valencia County lying east of the Rio Puerco River.
(31) Ohio.....	Ohio.....	That portion of the State of Ohio not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the counties of Fayette, and Licking.
(45) Wyoming.....	Wyoming.....	That portion of the State of Wyoming not designated prior to October 5, 1942 by the Price Administration as part of any defense-rental area, except the county of Converse, and that portion of Big Horn County lying outside the Big Horn National Forest and that portion of Park County lying outside the Shoshone National Forest.
(117) Winslow.....	Arizona.....	Supervisory Districts 1 and 2 in Navajo County, except those portions lying within the Navajo Indian Reservation and the Sitgreaves National Forest.
(118) San Benito.....	California.....	County of San Benito.
(119) Greeley.....	Colorado.....	County of Weld.
(120) Gainesville.....	Georgia.....	County of Hall.
(121) Ludowici.....	Georgia.....	County of Long.
(122) Iowa City.....	Iowa.....	County of Johnson.
(123) Danville.....	Kentucky.....	County of Boyle.
(124) Lexington.....	Kentucky.....	Counties of Clark, and Fayette.
(125) Eastport.....	Maine.....	The City of Eastport and the Towns of Lubec, Perry, Pembrooke, and Robbinston in the County of Washington.
(126) Lamar.....	Mississippi.....	County of Lamar.
(127) Belen.....	New Mexico.....	That portion of Valencia County lying east of the Rio Puerco River.
(128) Washington Court House.....	Ohio.....	County of Fayette.
(129) Cody-Lovell.....	Wyoming.....	That portion of Big Horn County lying outside of the Big Horn National Forest and that portion of Park County lying outside of the Shoshone National Forest.

This amendment shall become effective December 1, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-17995; Filed, Nov. 25, 1944;
11:49 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,² Amdt. 33]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5159 (a) (9) is amended by adding the following sentence, "However, in the case of central heating equipment, if the Board is satisfied that the

fuel oil burning equipment will be substantially installed within a reasonable time, it may issue to an otherwise eligible applicant an interim ration for use in the equipment, before its installation is substantially completed. The interim ration shall be: for a private dwelling 200 gallons, and for a premise other than a private dwelling, ten (10%) percent of the annual ration but not less than 200 gallons. When the applicant notifies the Board that the installation is substantially completed, it will figure his ration from the date of such completion, deducting the interim ration already issued to him."

This amendment shall become effective on November 29, 1944.

NOTE: All reporting and record keeping requirements of this revised ration order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18002; Filed, Nov. 25, 1944;
11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,¹ Amdt. 38 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (e) (10) is added to read as follows:

(10) X5, Y5, Z5, A2, and B2 are valid beginning December 1, 1944.

This amendment shall become effective November 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17899; Filed, Nov. 25, 1944;
11:50 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 5823, 5915, 7329, 7431, 9265, 9513.

² 9 F.R. 2357.

¹ 9 F.R. 173, 903, 1181, 2031, 2230, 2553, 2830, 2347, 3530, 3707, 4542, 4605, 4607, 4833, 5953, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,¹ Amdt. 65]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 4.6 (e) is added to read as follows:

(e) *Excess inventory for December 1944.* If a wholesaler's point inventory at the beginning of the December 3, 1944 reporting period is greater than 110 percent of his maximum allowable inventory for that reporting period, the difference is excess inventory. He must in that case, give up to the Office of Price Administration, for cancellation, points equal to his excess inventory. The points are to be given up in the form of a check drawn on his ration bank account, payable to the Office of Price Administration. That check must be attached to and forwarded with his report on OPA Form R-1310 for the reporting period ending December 2, 1944. A wholesaler who does not have enough points at the time he files his report, may accumulate points and must forward them with his next report. If he has not given up points equal to his excess inventory when he files his next report, he may accumulate points and must forward them with his succeeding reports until he has liquidated his excess inventory. He may, however, during each reporting period, retain enough points for the purpose of keeping his stocks balanced as permitted by section 4.7 of this order.

This amendment shall become effective November 29, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., and by Pub. Law 383, 78th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WFO No. 56, 8 F.R. 2005, 9 F.R. 4319, and WFO No. 58, 8 F.R. 2251, 9 F.R. 4319)

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18001; Filed, Nov. 25, 1944;
11:51 a. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A,² Amdt. 18]

STOVES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3944, 3947, 4026, 4351, 4476, 4604, 4818, 4876, 5074, 5436, 5695, 5829, 6234, 6235, 6647, 6951, 7080, 7081, 7202, 7257, 7345, 7437, 7773, 8793, 9169, 9954, 10087, 10636, 11113.

² 8 F.R. 11564.

1. Section 9.3 (b) is amended to read as follows:

(b) The board must send a copy of the application, together with the applicant's statement and any other information it has received, to the District Office. It may attach its recommendation as to the action that should be taken upon the application and the amount, if any, of allowable inventory that should be authorized. The District Office shall send the file to the "Washington Office" for approval or disapproval. If approved, the Washington Office (or the District Office, if the Washington Office so directs) will determine the allowable inventory, if any. The original registration form as approved by the board will then be mailed to the applicant.

This amendment shall become effective on November 29, 1944.

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18000; Filed, Nov. 25, 1944;
11:50 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,¹ Amdt. 72]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In section 15, Appendix I is amended and corrected in the following respects:

1. In Tables 2, 3, 6 and 7, in the last paragraph of Footnote 1, the words and figures "16 pound bags" in each case, are corrected to read "16—5 pound bags".

2. In Table 8, in the last paragraph of Footnote 8, the words and figures, "16 pound bags", in each case, are corrected to read, "16—5 pound bags".

3. In Table 10, a footnote reference, 10 is added to the title, and footnote 10 is added, to read as follows:

¹⁰ For tangerines packed in bushel baskets with a net content of $\frac{5}{8}$ that of "standard" or "legal" containers, and packed "fairly tight" or tighter, or packed in accordance with any applicable state law, the maximum price in each case is $\frac{5}{8}$ of the maximum price for tangerines packed in "standard" or "legal" $1\frac{1}{2}$ bushel box containers. For tangerines packed in 8 10-pound bags, 10 8-pound bags or 16 5-pound bags, the maximum price in each case is 20¢ higher than the maximum price for "standard" or "legal" $1\frac{1}{2}$ bushel containers.

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7769, 7774, 7834, 8148, 9068, 9090, 9289, 9356, 9509, 9512, 9549, 9788, 9896, 9897, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12039, 12208, 12340, 12341, 12263, 12412, 12537, 12643.

This amendment shall become effective November 25, 1944.

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

Approved: November 18, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-17998; Filed, Nov. 25, 1944;
11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPPR, Amdt. 86]

PORTLAND CEMENT CLINKER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 2.10 (g) is added to read as follows:

(g) Portland cement clinker.

This amendment shall become effective November 30, 1944.

Issued this 25th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17997; Filed, Nov. 25, 1944;
11:50 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 24,¹ Amdt. 3]

PACKAGED CHRISTMAS GIFTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The introductory text of § 1305.28 (a) is amended to read as follows:

(a) This Supplementary Order No. 24 provides temporary rules for determining maximum prices for sales at wholesale and retail of articles which are "specially packaged" for the 1944 Christmas season by the manufacturer, producer, processor or fabricator (but not by any retailer or wholesaler). These rules shall not apply to sales which take place after January 15, 1945, nor shall they apply to any sales subject to the provisions of Maximum Price Regulations Nos. 421,² 422³ and 423.⁴

This amendment shall become effective November 25, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18019; Filed, Nov. 25, 1944;
4:28 p. m.]

¹ 7 F.R. 8875, 16059.

² 9 F.R. 5648, 9719, 10257, 10982, 11537, 11711, 11901.

³ 9 F.R. 5656, 6828, 6951, 7330, 7520, 7937, 9354, 9719, 10258, 10982, 11537, 11711, 11901, 12343, 12593, 12589, 12590, 12740, 12972.

⁴ 9 F.R. 5671, 6829, 7340, 7520, 7937, 9354, 9720, 10259, 10982, 11537, 11711, 11902, 12340, 12593, 12740, 12972.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364, Amdt. 25]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 2 is amended by adding the following paragraph (f):

(f) *Processors' sales of frozen halibut to Government agencies.* The maximum price for sales of frozen halibut f. o. b. Seattle to any government agency is the price listed in Schedule 15 of section 13 and applicable to sales of frozen halibut originally landed fresh on the Pacific Coast of the United States. This price applies only where frozen halibut is packed according to specifications of the buying government agency. No transportation, container or other charge may be added to this maximum price.

This amendment shall become effective November 25, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18017; Filed, Nov. 25, 1944;
4:23 p.m.]

PART 1418—TERRITORIES AND POSSESSIONS
[Restriction Order 19]ALLOCATION OF LAUNDRY SOAP, SOAP FLAKES
AND SOAP POWDER IN PUERTO RICO

Preamble: All available data indicate that laundry soap, soap flakes, and soap powder stocks on the Island have become extremely low. At the same time, because of material and manpower restrictions imposed by war, the output and imports of said commodity cannot be increased correspondingly. The result is that our supplies of laundry soap, soap flakes, and soap powder are not sufficient to meet the normal demand. By restricting the monthly deliveries of laundry soap, soap flakes, and soap powder to be made by importers, wholesalers and retailers in Puerto Rico it is thereby hoped that an equitable and fair distribution will be assured and thus make consumer rationing unnecessary.

ARTICLE I—HOW LAUNDRY SOAP, SOAP FLAKES,
AND SOAP POWDER ARE TRANSFERRED

Sec.

- 1.1 Restriction on transfers of laundry soap, soap flakes, and soap powder.
- 1.2 Exceptions to limitation of transfers of laundry soap, soap flakes, and soap powder.

ARTICLE II—REPORTS

- 2.1 Importer, manufacturer or wholesaler's initial report.
- 2.2 Importer, manufacturer or wholesaler's monthly report.
- 2.3 Failure of filing monthly reports.

ARTICLE III—PROHIBITED ACTS

- 3.1 Discrimination.
- 3.2 Transfers in violation of Restriction Order No. 10.

*Copies may be obtained from the Office of Price Administration.

8 F.R. 4640, 5566, 7392, 11175, 12023, 12446, 12792, 14079, 15191, 15662, 16398; 9 F.R. 183, 946, 2023, 3388, 3459, 3424, 4182, 4650, 5163, 7420.

Sec.

- 3.3 False statements or entries.
- 3.4 Offer, attempt or agreement to violate this order.

ARTICLE IV—ENFORCEMENT

- 4.1 Suspension order.

ARTICLE V—SCOPE OF THIS ORDER

- 5.1 Territorial limitations.
- 5.2 Soap covered by this order.

ARTICLE VI—DEFINITIONS

- 6.1 Terms explained.

AUTHORITY: Section 1418.161 issued under Pub. Law 671, 76th Cong., as amended by Pub. Laws 69, 421, and 697, 77th Cong.; E.O. 9250, 7 F.R. 7871, WPB Directive 1, Supp. Dir. 1-J, 7 F.R. 652, 5043, 8731, Rev. Gen. Order 29, 8 F.R. 2516.

ARTICLE I—HOW LAUNDRY SOAP, SOAP FLAKES
AND SOAP POWDER ARE TRANSFERRED

SECTION 1.1 Restriction on transfer of laundry soap, soap flakes, and soap powder. (a) No importer or wholesaler shall transfer laundry soap, soap flakes, or soap powder to any person who was not his customer during any of the months of July, August, and September, 1944, and shall not transfer to any one of his customers for any one given month more than thirty-three and one-third percent (33⅓%) of the average monthly transfers made to that customer during the months of July, August, and September, 1944, unless authorized in writing by the Office of Price Administration for Puerto Rico.

(b) No manufacturer or retailer shall transfer to any consumer more than thirty-three and one-third percent (33⅓%) of the average monthly transfers made to that consumer during the months of July, August, and September, 1944.

Sec. 1.2 Exceptions to limitation of transfers of laundry soap, soap flakes, and soap powder—(a) Allocation of quota not delivered to customer, or consumer. When a customer or consumer for any reason fails to take delivery of any quantity of laundry soap, soap flakes, or soap powder, which he is entitled to obtain during any one given month, the importer, manufacturer, wholesaler, or retailer may transfer that customer's or consumer's allocation to one or more of his customers or consumers for delivery during the month immediately following, if such transfer will not result in the acquisition by such customer or consumer of more than 100% of the average monthly transfers of laundry soap, soap flakes, or soap powder made to him during the months of July, August, and September, 1944. An importer, wholesaler, or manufacturer who transfers to one or more of its customers the allocation of laundry soap, soap flakes, or soap powder, which another customer fails to take delivery of, shall notify the Office of Price Administration in writing of such transfers.

(b) *Exempt agencies.* Nothing in Restriction Order No. 10 shall be construed to limit the quantity of laundry soap, soap flakes, or soap powder which may be transferred to the Army and Navy of the United States, United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority,

the National Advisory Commission for Aeronautics and the Office of Scientific Research and Development.

(c) *Director may grant authorization for the acquisition of laundry soap, soap flakes or soap powder.* A person who must use laundry soap, soap flakes, or soap powder for the performance of services essential to the welfare of the community or the war effort, and who prior to the effective date of this order was not a laundry soap, soap flakes, or soap powder consumer, or who cannot perform said essential services with the allotted quantity of laundry soap, soap flakes, or soap powder to which he is entitled, may be authorized by the Director of the Office of Price Administration to acquire laundry soap, soap flakes, or soap powder.

Applications by such consumers shall be made in writing to the Office of Price Administration at San Juan, Puerto Rico.

(d) *Judicial process.* Any person may acquire laundry soap, soap flakes, or soap powder, pursuant to judicial process or under the supervision of a court of competent jurisdiction.

(e) *Return of lost or stolen laundry soap, soap flakes, or soap powder.* Any person may transfer laundry soap, soap flakes, or soap powder which have been lost, stolen or otherwise wrongfully or mistakenly acquired to the person rightfully entitled thereto.

ARTICLE II—REPORTS

Sec. 2.1 Importer, wholesaler or manufacturer's initial report. Every importer, wholesaler or manufacturer must file an initial report with the Office of Price Administration at San Juan, Puerto Rico, on Form OPA-PR-R-200, indicating the name of its customers and the quantity of laundry soap, soap flakes, or soap powder transferred to each one of them during the months of July, August, and September, 1944.

Sec. 2.2 Importer, wholesaler, or manufacturer's monthly report. Every importer, wholesaler, or manufacturer must file with the Office of Price Administration at San Juan, Puerto Rico, on Form OPA-PR-R-201, not later than the tenth day of every month after the effective date of this order, a monthly report indicating the name of its customers and the transfer of laundry soap, soap flakes, or soap powder made to each one of them during said month.

ARTICLE III—PROHIBITED ACTS

SECTION 3.1 Discrimination. No importer, manufacturer, wholesaler, or retailer shall discriminate in the transfer of laundry soap, soap flakes, or soap powder among customers entitled to receive transfers under this order.

Sec. 3.2 Transfers in violation of Restriction Order No. 10. No importer, manufacturer, wholesaler, or retailer shall transfer laundry soap, soap flakes, or soap powder except in accordance with this order.

Sec. 3.3 False statements or entries. No person shall make any false statement or entry in any document or record required to be filed or kept by him under this order.

SEC. 3.4 *Offer, attempt or agreement to violate this order.* No person shall offer, solicit, attempt or agree to do or do any act in violation of this order.

ARTICLE IV—ENFORCEMENT

SEC. 4.1 *Suspension order.* Any person who violates this order or any order issued hereunder by the Regional Administrator may by administrative suspension order be prohibited from receiving or making any transfer of laundry soap, soap flakes, or soap powder, or in any way using or disposing of laundry soap, soap flakes, or soap powder, or any other rationed commodity. Proceedings for the suspension orders shall be instituted and governed by the provisions of Procedural Regulation #4 of the Office of Price Administration.

ARTICLE V—SCOPE OF THIS ORDER

SEC. 5.1 *Territorial limitations.* Restriction Order No. 10 shall apply to the Territory of Puerto Rico.

SEC. 5.2 *Soap covered by this order.* The soap covered by this restriction order is laundry soap, soap flakes, or soap powder.

ARTICLE VI—DEFINITIONS

SEC. 6.1 *Terms explained.* When used in this order, the term:

(a) "Consumer" means any person acquiring laundry soap, soap flakes, or soap powder for consumption.

(b) "Director" means the Director of the Office of Price Administration for Puerto Rico, any person duly authorized to act in his place, or any person to whom he may delegate his authority to act hereunder.

(c) "Importer" means any person who imports laundry soap, soap flakes, or soap powder into the Territory of Puerto Rico.

(d) "Laundry soap" means soap commonly used for washing purposes, including, but not limited to blue soap, blue streak soap, blue mottled soap, and yellow soap.

(e) "Manufacturer" means any person engaged in the business of manufacturing laundry soap, soap flakes or soap powder.

(f) "Person" means any individual, partnership, corporation, association, any organized group or enterprise or government or government agency, including the Office of Distribution for Puerto Rico.

(g) "Retailer" means any person who sells laundry soap to the ultimate consumer.

(h) "Soap flakes" mean laundry soap in flake form.

(i) "Soap powder" means laundry soap in powder form.

(j) "Transfer" means sell, give, exchange, lend, deliver, supply or furnish.

(k) "Wholesaler" means any person other than a manufacturer who transfers laundry soap, soap flakes, or soap powder to any person other than a consumer.

Effective date. This restriction order shall become effective at 6:01 p. m., November 14, 1944.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of November 1944.

SAM GILSTRAP,
Territorial Director,
Puerto Rico.

Approved:

M. S. BURCHARD,
Acting Regional Administrator,
Region IX.

[F. R. Doc. 44-18018; Filed, Nov. 25, 1944;
4:27 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 21]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 88 is amended in the following respects:

1. Section 1.2 (a) (6) is added to read as follows:

(6) Inter-refinery sales of C-4 petroleum fractions when such sales are made for replacement purposes at the direction of the Petroleum Administration for War.

2. Section 1.12 is amended to read as follows:

SEC. 1.12 *Records and price filing requirements.* Every person selling petroleum products subject to this regulation shall for as long as the Emergency Price Control Act of 1942, as amended, remains in effect keep and make available for examination by the Office of Price Administration records of the same kind as he customarily kept, relating to the prices which he charged for such petroleum products and in addition, records showing the basis upon which he determined maximum prices for such petroleum products.

3. Section 1.14 (b) is added to read as follows:

(b) "Township" means the entire geographical area within the outermost boundaries of a particular township. A specific price established for a township would apply in a separate political subdivision, for example, an incorporated city, village, etc., situated within such township, unless a different maximum price was expressly spelled out for the particular subdivision. For example, in Pennsylvania the City of Du Bois is located geographically within the outermost boundaries of Sandy Township. For the purposes of this regulation Du Bois, therefore, is to be regarded as being within Sandy Township.

4. Section 2.11 (d) (3) is added to read as follows:

(3) *F. o. b. refineries on sales to tank wagon resellers¹ in the Metropolitan Chicago Area.²*

*Copies may be obtained from the Office of Price Administration.

¹The maximum prices established above do not apply on sales to a tank wagon reseller

Products: Cents per gallon
Range, stove, or heater oil..... 6.625
No. 2 fuel oil..... 6.125
No. 3 fuel oil..... 5.00

5. Section 2.12 (b) (3) is added to read as follows:

(3) *F. o. b. refineries on sales to tank wagon resellers¹ in the Metropolitan Chicago Area.²*

Products: Cents per gallon
Range, stove, or heater oil..... 6.625
No. 2 fuel oil..... 5.125
No. 3 fuel oil..... 5.00

6. Section 2.17 (a) is amended to read as follows:

(a) *State of Maine.* The maximum tank wagon prices for kerosene, No. 1 fuel oil and range oil and for Nos. 2 and 3 fuel oils in the following townships and cities in the State of Maine shall be as follows:

[Cents per gallon]

Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over ¹	Nos. 2, 3 and 4 distillate fuel oils on deliveries of 100 gallons or over ²
Abbott.....	11.2	10.0
Academy West.....	11.7	10.5
Acton.....	10.9	9.3
Adamstown.....	12.4	11.2
Addison.....	11.3	10.1
Albany.....	10.9	9.7
Albion.....	11.1	9.9
Alexander.....	11.5	10.2
Alfred.....	10.2	9.3
Allagash Pl.....	12.7	11.5
Alna.....	10.6	9.4
Alton.....	10.3	9.1
Amherst.....	10.3	9.1
Amity.....	12.0	10.8
Andover.....	11.2	10.0
Anson.....	11.3	10.1
Appleton.....	10.6	9.7
Argyle.....	10.3	9.1
Arrowisc.....	10.6	9.4
Ashland.....	12.7	11.5
Askwith.....	11.7	10.5
Athens.....	11.3	10.1
Atkinson.....	11.2	10.0
Attuan.....	13.3	11.1
Auburn.....	10.5	9.3
Augusta.....	10.4	9.2
Aurora.....	10.3	9.1
Avon.....	11.3	10.1
Balleville.....	11.5	10.2
Bald Mountain.....	11.3	10.3
Baldwin.....	10.9	9.7
Bancroft.....	12.0	10.8
Bangor.....	10.3	9.1
Bar Harbor.....	10.9	9.7
Baring.....	11.5	10.2
Barnard Pl.....	11.2	10.0
Batchelders Grant.....	10.9	9.7
Bath.....	10.6	9.4
Beals.....	11.3	10.1
Beddington.....	11.3	10.1
Belfast.....	10.8	9.6
Belgrade.....	10.4	9.2
Belmont.....	10.8	9.6
Benedicta.....	12.0	10.8
Benton.....	11.1	9.9
Berwick.....	10.4	9.3
Bethel.....	11.2	10.0
Biddford.....	10.2	9.2
Bigelow Pl.....	11.3	10.3
Big Squaw.....	11.7	10.5
Bingham.....	11.3	10.3
Blaine.....	12.3	11.1
Blanchard.....	11.2	10.0
Blue Hill.....	10.0	9.7

¹ Sellers may add 1.5¢ per gallon on single lot deliveries of less than 25 gallons.

² Sellers may add .5¢ per gallon on single lot deliveries of less than 100 gallons.

with whom on October 1, 1941, the supplier had a contract extending over a period of not less than a year for deliveries of the particular product. On sales of the above products to such a purchaser, the supplier's maximum price, whether on an f. o. b. refinery basis or on a delivered-at-destination basis, must be determined under section 5.3 and Article VI or established under section 8.3.

² Metropolitan Chicago Area is defined as in section 5.4 (c).

See footnotes on p. 14064.

[Cents per gallon]			[Cents per gallon]			[Cents per gallon]		
Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over ¹	Nos. 2, 3 and 4 distillate fuel oil on deliveries of 100 gallons or over ²	Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over ¹	Nos. 2, 3 and 4 distillate fuel oil on deliveries of 100 gallons or over ²	Township or city	Kerosene, No. 1 fuel oil and range oil on deliveries of 25 gallons or over ¹	Nos. 2, 3 and 4 distillate fuel oil on deliveries of 100 gallons or over ²
North Berwick	10.4	9.2	Smithfield	11.1	9.0	Woolwich	10.6	9.4
North Haven	12.2	11.0	Smyrna	12.0	10.8	Wyman	11.3	10.3
North Kennebunkport	10.2	9.2	Solon	11.3	10.3	Yarmouth	10.2	9.0
North Yarmouth (Arcoos-stock County)	12.0	10.8	Somerville Pl.	10.4	9.2	York	10.4	9.2
North Yarmouth (Cumberland County)	10.2	9.0	Sorrento	10.9	9.7	TAR2	12.0	10.8
Northfield	11.5	10.2	South Berwick	10.4	9.2	TAR7	11.9	10.5
Northport	10.8	9.6	South Bristol	10.6	9.4	TAR8	11.9	10.5
Norway	10.9	9.7	Southport	10.6	9.4	TAR9	11.9	10.5
Oakfield	12.0	10.8	South Portland	10.2	9.0	TO	11.2	10.0
Oakland	11.1	9.9	South Thomaston	10.6	9.7	TOR2	12.0	10.8
Old Orchard	10.2	9.2	Southwest Harbor	10.9	9.7	TD	11.2	10.0
Old Town	10.3	9.1	Springfield	11.7	10.1	TDR2	12.3	11.1
Orient	12.0	10.8	Squaretown	11.3	10.3	TE	11.2	10.0
Orland	10.3	9.1	Stacyville Pl.	12.0	10.8	TIB3	11.3	10.3
Orneville	11.2	10.0	Standish	10.2	9.0	TIR6	12.0	10.8
Orono	10.3	9.1	Starks	11.3	10.3	TIR6	13.3	11.1
Orrington	10.3	9.1	Stetson (Penobscot County)	10.3	9.1	TIR13	11.7	10.5
Osborn Pl.	10.9	9.7	Stetson (Rangely County)	12.3	11.1	T2R4	12.0	10.8
Otis	10.9	9.7	Steuben	11.3	10.1	T2R6	13.3	11.1
Otisfield	10.9	9.7	Stockholm	12.3	11.1	T3R1	11.7	10.1
Over	11.5	10.2	Stockton Springs	10.8	9.6	T3R3	12.0	10.8
Owl's Head	10.6	9.7	Stoneham	10.9	9.7	T3R7	12.0	10.8
Oxbow Pl.	12.7	11.5	Stonington	11.9	10.7	T4R1	12.3	11.1
Oxbow	12.4	11.2	Stow	10.9	9.7	T4R2	12.3	11.1
Oxford	10.9	9.7	Strong	11.3	10.1	T5R7	12.0	10.8
Palermo	10.4	9.2	Sullivan	10.9	9.7	T5R9	11.2	10.0
Palmyra	11.0	9.8	Sumner	10.9	9.7	T6	11.2	10.0
Paris	10.9	9.7	Surry	10.9	9.7	T6R7	12.0	10.8
Parkertown	12.4	11.2	Swansville	10.8	9.6	T6R9	11.2	10.0
Parkman	11.2	10.0	Swan's Island	10.9	9.7	T7R5	12.0	10.8
Parlin Pond	13.3	11.1	Sweden	10.9	9.7	T7SD	11.3	10.1
Parsonage	12.4	11.2	Talmage	11.3	10.3	T8R3	12.0	10.8
Parsonsfield	10.9	9.7	Temple	11.3	10.1	T8R4	12.0	10.8
Passadumkeag	11.7	10.1	The Forks Pl.	11.3	10.3	T8R5	12.0	10.8
Patten	11.5	10.3	Thomaston	10.6	9.7	T8SD	10.9	9.7
Pembroke	10.3	9.1	Thorncliffe	11.1	9.9	T9R4	12.7	11.5
Penobscot	10.3	9.1	Tina Pond	12.3	11.1	T9R5	12.7	11.5
Perham	12.3	11.1	Topsfield	12.0	10.8	T9SD	10.9	10.1
Perkins	11.2	10.0	Topsham	10.6	9.4	T10R3	12.0	10.8
Perry	11.5	10.2	Tremont	10.9	9.7	T10R4	12.7	11.5
Perris	11.2	10.0	Trenton	10.9	9.7	T10R5	12.7	11.5
Phillips	11.3	10.1	Truscott	11.5	10.2	T10SD	11.3	10.1
Phippsburg	10.6	9.4	Troy	11.1	9.0	T11R3	12.0	10.8
Pittsfield	11.0	9.8	Turner	10.5	9.3	T11R4	12.3	11.1
Pittsion	10.4	9.2	Union	10.6	9.7	T13R2	12.7	11.5
Pleasant Ridge Pl.	11.3	10.3	Unity	11.1	9.0	T15R2	12.7	11.5
Plymouth	11.0	9.8	Unity Pl.	11.1	9.0	T16MD	10.9	10.1
Poland	10.6	9.3	Upper Cupsuptic	12.4	11.2	T16R4	12.3	11.1
Portage Lake	12.7	11.5	Upper Molunkus	12.0	10.8	T16R6	12.7	11.5
Porter	10.9	9.7	Upton	12.4	11.2	T18ED	11.6	10.3
Portland	10.2	9.0	Van Buren	12.7	11.5	T18MD	11.3	10.1
Pownall	10.2	9.0	Vanceboro	12.0	10.8	T19ED	11.6	10.3
Prentiss	11.7	10.1	Bassalborough	10.4	9.2	T19MD	11.3	10.1
Presque Isle	12.3	11.1	Veazie	10.3	9.1	T22MD	11.3	10.1
Princeton	11.5	10.2	Vorona	10.3	9.1	T24MD	11.3	10.1
Prospect	10.3	9.1	Vienna	10.4	9.3	T25MD	11.3	10.1
Randolph	10.4	9.2	Vinalhaven	12.2	11.0	Plantation 21	11.6	10.2
Rangely	12.3	11.1	Wade	12.3	11.1	Plantation 14	11.6	10.2
Rangely Pl.	12.3	11.1	Waite	11.5	10.2	E Plantation	12.3	11.1
Raymond	10.2	9.0	Waldo	10.8	9.6			
Readfield	10.4	9.2	Waldoboro	10.6	9.7			
Redington	11.3	10.1	Wales	10.5	9.3			
Reed Pl.	12.0	10.8	Wallagrass Pl.	12.7	11.5			
Richardsontown	12.4	11.2	Waltham	10.9	9.7			
Richmond	10.4	9.2	Warren	10.6	9.7			
Riley	11.2	10.0	Washburn	12.3	11.1			
Ripley	11.0	9.8	Washington	10.6	9.7			
Robbinston	11.5	10.2	Waterboro	10.2	9.2			
Rockland	10.6	9.7	Waterford	10.9	9.7			
Rockport	10.6	9.7	Waterville	11.1	9.9			
Rockwood Strip	11.7	10.5	Wayne	10.4	9.2			
Rogue Bluffs	11.5	10.2	Webbertown	12.0	10.8			
Rome	11.1	9.9	Webster	10.5	9.3			
Roxbury	11.2	10.0	Webster Pl.	11.7	10.1			
Rumford	11.2	10.0	Weld	11.2	10.0			
Saco	10.2	9.2	Wellington	11.0	9.8			
Saint Agatha	12.7	11.5	Wells	10.4	9.2			
Saint Albans	11.0	9.8	Wesley	11.5	10.2			
Saint Croix	12.0	10.8	West Bath	10.6	9.4			
Saint Francis Pl.	12.7	11.5	Westbrook	10.2	9.0			
Saint George	10.6	9.7	Westfield	12.3	11.1			
Saint John Pl.	12.7	11.5	West Dover	11.2	10.0			
Salem	11.3	10.1	West Forks Pl.	13.3	11.1			
Sandwich Acad. Grant	13.3	11.1	West Gardiner	10.4	9.2			
Sandy Bay	13.3	11.1	Westman Land Pl.	12.3	11.1			
Sandy River Pl.	12.3	11.1	Weston	12.0	10.8			
Sanford	10.9	9.3	Westport	10.6	9.4			
Saugerville	11.2	10.0	Whitefield	10.4	9.2			
Sapling Township	11.7	10.5	Whiting	11.5	10.2			
Scarboro	10.2	9.0	Whitneyville	11.5	10.3			
Scarsmont	10.8	9.6	Williamsburg	11.2	10.0			
Scarsport	10.8	9.6	Williamantic	11.2	10.0			
Sebago	10.9	9.7	Windham	10.2	9.0			
Sebec	11.2	10.0	Windsor	10.4	9.2			
Sedgwick	10.9	9.7	Winn	11.7	10.1			
Shapleigh	10.9	9.3	Winslow	11.1	9.0			
Sherman	12.0	10.8	Winter Harbor	11.3	10.1			
Shirley	11.7	10.5	Winterport	10.3	9.1			
Sidney	10.4	9.2	Winterville Pl.	12.7	11.5			
Silver Ridge Pl.	12.0	10.8	Winthrop	10.4	9.2			
Skowhegan	11.3	10.1	Wiscasset	10.6	9.4			
			Woodland	12.3	11.1			
			Woodstock	10.9	9.7			

See footnotes on p. 14064.

7. Section 2.41 (d) is added to read as follows:

(d) *Corpus Christi area—Liquefied petroleum gas.* In the Corpus Christi area, comprising the Counties of Refugio, Nueces, Jim Wells and Duval, the maximum price of liquefied petroleum gas f.o.b. refineries and loaded into tank cars, motor transports and pipe lines for shipment to ultimate destinations in Texas, Louisiana, Arkansas, Oklahoma and New Mexico shall be 2.5¢ per gallon.

8. Section 6.3 (a) (1) is amended as follows:

In the list of states or portions thereof the following area description is inserted between South Carolina and Vermont and the following figures, applicable as indicated to the added area, are added respectively to each of the subcolumns which are under the caption "Cents per gallon to be added".

Tennessee (corporate limits of Bristol only)----- 1.8 ---- 1.5

9. Section 6.4 (a) (1) is amended by deleting the word "and" which precedes "the District of Columbia" and by insert-

ing "and the corporate limits of Bristol, Tennessee," between "Columbia" and "the".

10. Section 6.5 (a) (1) is amended as follows:

In the list of states or portions thereof the following area description is inserted between South Carolina and Vermont and the following figure, applicable as indicated to the added area, is added to the column headed by the caption "Cents per gallon":

Tennessee (corporate limits of Bristol only) ----- 1.2

11. Section 6.5 (c) is amended to read as follows:

(c) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin—On sales to certain tank wagon and service station resellers.* Under the circumstances set forth in subparagraphs (1) and (2) below on deliveries of gasoline by a supplier to either a tank wagon or service station reseller at a point in the above states where the maximum tank wagon price has been increased by the provisions of section 7.4 there may be added to the supplier's maximum price, as determined under section 5.2, for a particular grade at a particular delivery point a sum computed pursuant to the provisions of subparagraphs (1) and (2) below.

(1) If there was a contract in effect on October 1, 1941 between a particular tank wagon or service station reseller and such contract provided for varying the price of the supplier to the reseller on the basis of the tank wagon price at the particular delivery point and if the maximum tank wagon price at such point is increased by section 7.4 but not to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price to the reseller shall be increased only when the margin between the said price and the maximum tank wagon price at such point would be in excess of that called for in the contract had the maximum tank wagon price at such point been increased to normal and the extent of such increase to the supplier's maximum price shall be the amount of such excess.

(2) If there was a contract in effect on October 1, 1941, as described in (1) above and if the maximum tank wagon price at the particular point is increased to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price to the reseller shall be altered in accordance with the provisions of such contract.

12. Section 7.5 (c) is amended by changing "November 1, 1944," the filing date mentioned therein, to "December 1, 1944."

This amendment shall become effective December 2, 1944.

Issued this 27th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18049; Filed, Nov. 27, 1944;
11:40 a. m.]

No. 237—4

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289; Amdt. 52]

ICE CREAM AND ICE CREAM MIX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation No. 280 is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate on December 31, 1944.

* This Amendment No. 52 shall become effective as of November 23, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18016; Filed, Nov. 25, 1944;
4:28 p. m.]

PART 1358—CIGARS

[MPR 260; Amdt. 12]

CIGARS, CIGAR CUTTINGS AND CLIPPINGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The date "November 13, 1944" in § 1353.113 (a) is amended to read "January 8, 1945."

This amendment shall become effective November 24, 1944.

Issued this 24th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-17952; Filed, Nov. 24, 1944;
3:50 p. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ACCESSORIES

[MPR 39; Incl. Amdt. 7]

WOVEN DECORATIVE FABRICS

This compilation of Maximum Price Regulation 39 includes Amendment 7, effective December 2, 1944. The text added or amended by Amendment 7 is underscored.

In the judgment of the Price Administrator, the prices of woven decorative fabrics have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of these fabrics prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant changes as he has determined and deemed to be of general applicability.

*Copies may be obtained from the Office of Price Administration.

*9 F.R. 6320, 8030, 10358, 12004, 13057, 13713.
*7 F.R. 8397, 10255, 10475, 11113; 8 F.R. 1874, 2203, 4476; 9 F.R. 3037, 3710, 7000, 10733, 13223, 13592.

*8 F.R. 7822.

So far as practicable, the Price Administrator has advised and consulted with representative members of the woven decorative fabric industry, which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable, and will effectuate the purposes of said act.

A statement of the considerations involved in the issuance of this maximum price regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act, and in accordance with Procedural Regulation No. 1* issued by the Office of Price Administration, Maximum Price Regulation No. 39 is hereby issued.

Sec.

1400.151 Prohibition against dealing in woven decorative fabrics at prices above the maximum.

1400.152 Less than the maximum prices.

1400.153 Adjustable pricing.

1400.154 Export sales.

1400.155 Exempt sales.

1400.156 Limitation of new constructions sold, transferred or delivered by manufacturers.

1400.157 Reports and records.

1400.158 Eviction.

1400.159 Enforcement.

1400.159a Licensing.

1400.160 Petitions for amendment and adjustment.

1400.161 Definitions.

1400.162 Effective date.

1400.162a Effective dates of amendments.

1400.163 Appendix A: Maximum prices for sales by manufacturers.

1400.164 Appendix B: Maximum prices for sales by persons other than manufacturers.

[Table of contents added by Am. 2, 7 F.R. 6772, effective 8-31-42]

AUTHORITY: §§ 1400.151 to 1400.164, inclusive, issued under 50 Stat. 23, 765; 57 Stat. 609, Pub. Law 323, 76th Cong.; E.O. 9250, 7 F.R. 7571 and E.O. 9323, 8 F.R. 4631.

§ 1400.151 *Prohibition against dealing in woven decorative fabrics at prices above the maximum.* On and after July 13, 1942, regardless of any contract or obligation:

(a) No person shall sell or deliver and no person shall buy or receive any woven decorative fabric at a price higher than the maximum prices set forth in Appendices A and B, incorporated herein as §§ 1400.163 and 1400.164.

[Paragraph (a) amended by Am. 7, effective 12-2-44]

(b) No person shall agree, offer, solicit or attempt to do any of the foregoing:

Provided, That contracts entered into prior to July 13, 1942, at prices in compliance with Maximum Price Regulation

*Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

*Revised: 9 F.R. 16473.

No. 127⁴ may be carried out at the contract price.

(c) This Maximum Price Regulation No. 39 shall apply and the General Maximum Price Regulation⁵ shall not apply to sales of woven decorative fabrics for which maximum prices are established by this regulation.

[NOTE: Revised Supplementary Order No. 34, 8 F.R. 12404, 14073) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702, 9521) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1400.152 *Less than the maximum prices.* Prices lower than the maximum prices established by this Maximum Price Regulation No. 39 may be charged, demanded, paid or offered.

§ 1400.153 *Adjustable pricing.* No seller of woven decorative fabrics shall enter into an agreement permitting the adjustment of prices to prices which may be higher than the maximum prices established herein in the event that this Maximum Price Regulation No. 39 is amended or upon any other contingency: *Provided*, That in an appropriate situation, when a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator, may upon application grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1400.154 *Export sales.* The maximum price at which a person may sell or deliver woven decorative fabrics for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation⁶ issued by the Office of Price Administration on April 25, 1942.

§ 1400.155 *Exempt sales.* The provisions of this Maximum Price Regulation No. 39 shall not apply to:

(a) Sales at retail.
(b) Sales and deliveries of printed or dyed woven decorative fabrics when such sales or deliveries are made by a person whose principal business with respect to such fabrics during the period between January 1, 1941 and March 31, 1942 was in fabrics selling at a price of less than 35 cents per yard.

[Paragraph (b) amended by Am. 2, 7 F.R. 6774, effective 8-31-42; and Am. 7, effective 12-2-44]

⁴ 9 F.R. 2464, 3031, 4029, 4879, 10088, 12020, 12636, 13067.

⁵ 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

(c) Sales of remnants of 3 yards or less in length.

[Paragraph (c) added by Am. 5, 8 F.R. 17426, effective 1-4-44 and amended by Am. 7, effective 12-2-44]

§ 1400.156 *Limitation of new constructions sold, transferred or delivered by manufacturers.* (a) During the year commencing July 13, 1942, and during each succeeding year, regardless of the terms of any contract of sale, or purchase, or other commitment, except as provided in paragraphs (b) and (c) of this section, no manufacturer shall sell, transfer or deliver more than his quota of new constructions of woven decorative fabrics (exclusive of altered constructions described in paragraph (b) below). This quota shall be 10% of the total number of constructions of woven decorative fabrics sold or delivered by the manufacturer during the period from January 1, 1941 to December 31, 1941, inclusive, but in no event shall be less than five constructions. No manufacturer shall transfer or deliver any such new construction of a woven decorative fabric after August 27, 1942, until (1) he has filed a report with the Office of Price Administration, Washington, D. C., in accordance with paragraph (a) (3) of § 1400.157 containing his interpretation of his new construction quota and (2) the Office of Price Administration, Washington, D. C., has approved this interpretation in writing. As used in this regulation, the term "new construction" means any construction of a woven decorative fabric not sold, offered for sale, transferred or delivered by the same manufacturer between July 11, 1941 and July 13, 1942, inclusive.

[Paragraph (a) amended by Am. 4, 8 F.R. 7822, effective 6-15-43]

(b) Any manufacturer may alter an existing construction of a woven decorative fabric which may be sold, transferred or delivered without being counted as falling within his new construction quota: *Provided*, That he submits to the Office of Price Administration, Washington, D. C., an application containing his interpretation supported by sufficient evidence under the standards set forth in this paragraph (b) and that the Office of Price Administration, Washington, D. C., approves his interpretation in writing. These standards are (1) that the construction to be replaced was within the six months immediately prior to the date on which the application is filed an active number in the manufacturer's line, (2) that material previously used in its manufacture is unavailable or is so restricted by a government regulation as to make production of the original fabric impractical, (3) that the maximum price for the altered construction as determined under § 1400.163 (b) (3) shall not exceed 115% of the maximum price of the construction to be replaced, and (4) that the proposed altered construction

will closely resemble the construction it will replace with no substantial change in quality or appearance.

[Paragraph (b) amended by Am. 7, effective 12-2-44]

(c) Any manufacturer who can show that his new construction quota is so low as to cause or appear likely to cause serious financial hardship may file a petition for adjustment of his quota in accordance with §§ 1300.38 to 1300.41, inclusive, of Procedural Regulation No. 1.⁷ In such a case the petitioner should submit (1) a complete statement of the facts upon which he relies and (2) the new construction quota for which he seeks approval.

(d) Nothing in this section shall be construed to limit the number of patterns of any specific construction of a woven decorative fabric which may be sold, offered for sale, transferred, or delivered.

§ 1400.157 *Reports and records—(a) Reports by manufacturers.* (1) Each manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report in the detail required by Revised Form No. 139:1 for each pattern sold, offered for sale, transferred or delivered during the period from July 11 to September 10, 1941, inclusive.

[Subparagraph (1) amended by Am. 5, 8 F.R. 17426, effective 1-4-44]

(2) Each manufacturer shall submit to the Office of Price Administration, Washington, D. C., (i) for each pattern not covered by paragraph (a) (1) of this section, a report in the detail required by Revised Form No. 139:1; and (ii) for each construction priced under § 1400.163 (b) (3), a report in the detail required by Form No. 666:777. The above forms shall be submitted prior to delivery of the pattern or construction.

[Subparagraph (2) amended by Am. 7, effective 12-2-44]

(3) On or before August 13, 1942, each manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report containing (i) the total number of constructions which he sold or delivered during the period from January 1 to December 31, 1941, inclusive, (ii) the specifications of each in the manner required by section IV of Revised Form No. 139:1, and (iii) his interpretation of his proper new construction quota determined in accordance with the provisions of paragraph (a) of § 1400.156.

(b) *Reports by sellers other than manufacturers.* (1) Every seller of woven decorative fabrics other than a manufacturer shall submit to the Office of Price Administration, Washington, D. C., a complete list of all patterns of woven decorative fabrics sold, offered for sale, transferred or delivered during the period from September 11 to November 10, 1941,

⁶ 2d Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 7201, 9835, 11273, 12919.

⁷ Revised: 9 F.R. 10476.

inclusive, showing with respect to each (i) the quality or style number, (ii) the highest selling price during the above period to each class of purchaser, and (iii) the maximum price as determined under § 1400.164 (b) (1) or (b) (2) of this regulation.

(2) Prior to delivery of any pattern first offered for sale after November 10, 1941 the seller shall submit to the Office of Price Administration, with respect to such pattern, a report in the detail required by Form No. 666:721 for fabrics purchased in the finished state, and Form No. 666:299 for fabrics converted into woven decorative fabrics by the seller.

(c) *Invoice.* In connection with each sale of a woven decorative fabric after January 4, 1944, every person shall deliver an invoice to the purchaser setting forth: (1) The name and address of the purchaser; (2) style number or quality of the fabric sold; (3) the quantity of the fabric sold; (4) the manufacturer's maximum price to jobbers for the fabric, or, if the fabric was initially purchased by a converter as defined in § 1400.161 (a) (3), the converter's maximum price to jobbers for the fabric; and (5) the actual selling price to the purchaser of the fabric.

[Paragraphs (b) and (c) amended by Am. 5, 8 F.R. 17426, effective 1-4-44; and Am. 7, effective 12-2-44]

(d) *Records.* Every person making any sale of a woven decorative fabric after July 13, 1942, shall keep for inspection by the Office of Price Administration complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer, the price received, the name and number of each pattern, the quantity of each woven decorative fabric sold, and, if a report has been filed with the Office of Price Administration, a copy of such report and any correspondence with respect thereto.

[Paragraph (d) amended by Am. 7, effective 12-2-44]

§ 1400.158 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 39 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to woven decorative fabrics alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1400.159 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 39 are subject to the criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 39, or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1400.159a *Licensing.* The provisions of Licensing Order No. 1,⁸ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1400.159a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1400.160 *Petitions for amendment and adjustment.* (a) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 39 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (a) amended by Supplementary Order 23, 7 F.R. 8348, effective 11-4-42]

(b) The Office of Price Administration may by order adjust the maximum price established under this regulation for any seller of a woven decorative fabric in any case in which such seller shows:

(1) That such maximum price causes him hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities, and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities will not cause or threaten to cause an increase in retail prices.

On and after July 13, 1942, all petitions for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1: *Provided*, That no petition for adjustment filed under this paragraph (b) after November 15, 1942, will be granted.

[Paragraph (b) amended by Am. 3, 7 F.R. 8946; effective 11-4-42]

(c) A manufacturer who is prepared to show that:

(1) He has maintained prior to July 13, 1942 a cut length sales department separate from his manufacturing business, and

(2) That his maximum prices for sales of woven decorative fabrics by this department as determined in accordance with § 1400.163 subject the department to substantial hardship, may file a petition for the adjustment of his maximum prices for sales by such department. Such a petition shall be filed in accordance with Procedural Regulation No. 1⁹

⁸ 8 F.R. 13240.

⁹ Revised: 8 F.R. 10470.

and shall contain, in addition to the evidence required above, a statement of the reasons why the petitioner believes that the granting of relief in his case will not defeat or impair the purposes of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 39.

[Paragraph (c) added by Am. 2, 7 F.R. 6774; effective 8-31-42]

[Note: Procedural Regulation No. 6 (8 F.R. 10223) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[Note: Supplementary Order No. 23 (7 F.R. 8319, 8 F.R. 7238) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1400.161 *Definitions.* (a) When used in this Maximum Price Regulation No. 39, the term:

(1) "Person" means an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of the foregoing;

(2) "Manufacturer" means: (i) Any person who owns, operates or controls a factory, plant or mill in which woven decorative fabrics are manufactured; (ii) any person who supplies yarn to a factory, plant or mill for weaving and finishing into a woven decorative fabric on a commission basis; (iii) any person who supplies yarn to a factory, plant or mill and purchases woven decorative fabrics therefrom; (iv) any person who supplies to a finishing plant grey goods woven by him to be finished for his own account into a woven decorative fabric; or (v) any person who manufactures grey goods, supplies them to a converter or finishing plant and repurchases them or any portion of them in a finished state for resale as a woven decorative fabric.

[Subparagraph (2) amended by Am. 7, effective 12-2-44]

(3) "Converter" means (i) a person who purchases textile fabrics and resells them as woven decorative fabrics after finishing them or after causing them to be finished for his account and includes any person who sells grey goods to another person and repurchases woven decorative fabrics which the latter has finished or causes to be finished, or (ii) for the purposes of resales of patterns purchased in the following manner, a person who contracts with a manufac-

turer to purchase complete warps with all their patterns styled by the purchaser and confined to him exclusively.

[Subparagraph (3) amended by Am. 5, 8 F.R. 17426, effective 1-4-44 and Am. 7, effective 12-2-44]

(4) "Woven decorative fabrics" means any finished fabric woven on a loom and predominantly used for upholstery coverings (which includes upholstery covering for furniture, automobiles, airplanes, railway cars, caskets, etc.), draperies, furniture or automobile slip covers, or bedspreads: *Provided*, That the term shall not include coated fabrics for which maximum prices are established by Maximum Price Regulation No. 478—Coated and Combined Fabrics, or bedspread fabrics for which maximum prices are established by Maximum Price Regulation No. 118—Cotton Products.

[Subparagraph (4) amended by Am. 2, 7 F.R. 6774, effective 8-31-42 and Am. 5, 8 F.R. 17426, effective 1-4-44 and Am. 7, effective 12-2-44]

(5) "Pattern" means any design of a woven decorative fabric, irrespective of color, of a specific construction;

(6) "Construction" means the following specifications of a fabric: the finished width; the thread count; the number of ends and picks and the size, ply and twist of each yarn used in the fabric; the type of loom¹⁰ most efficient for weaving the fabric; and, in the case of pile fabrics, the weight of the pile yarn per linear yard;

[Subparagraph (6) amended by Am. 4, 8 F.R. 7822, effective 6-15-43]

(7) "In line with" means having a justifiable relationship to the maximum price of a pattern of the nearest related construction of a woven decorative fabric with commensurate decreases or increases reflecting actual decreases or increases in the costs of the yarns used and of the weaving due to differences in (i) the number of picks, (ii) the number of ends, (iii) the finished width of the fabric, (iv) the type of the weave, and (v) the specifications of the yarns used;

(8) "Price list in effect" includes all of the prices quoted by the seller on the designated date, whether in a formal price list or otherwise.

(9) "Cut length sales department" means a department or branch operated by a woven decorative fabric manufacturer, the principal business of which consists of selling woven decorative fabrics in cut lengths of specified yardage to interior decorators.

[Paragraph (9) added by Am. 2, 7 F.R. 6774; effective 8-31-42]

(10) "Sales at retail" means sales to the ultimate consumer: *Provided*, That

¹⁰ For the purposes of this definition, no distinction shall be made between a plain loom and a dobby loom. However, a fabric most efficiently woven on a dobby loom will, under this definition, be a different construction from a fabric otherwise the same except as to pattern but most efficiently woven on a jacquard loom.

no manufacturer, purchaser for resale or other commercial user, shall be considered to be an ultimate consumer.

[Subparagraph (10) added by Am. 3, 7 F.R. 8946; effective 11-4-42]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1400.162 *Effective date.* This Maximum Price Regulation No. 39 (§§ 1400.151 to 1400.164 inclusive) shall become effective July 13, 1942. [Issued July 8, 1942]

§ 1400.162a *Effective dates of amendments.*

[Effective dates of amendments are shown in notes following parts affected]

§ 1400.163 *Appendix A: Maximum prices for sales by manufacturers.* (a)

(1) The maximum prices established herein are prices f. o. b. seller's point of shipment. In any case in which a price relied upon by a seller in determining a maximum price in accordance with this Maximum Price Regulation No. 39 includes any transportation charges, such price shall be appropriately adjusted by the subtraction therefrom of all such transportation charges.

(2) No seller shall discontinue or alter to the prejudice of a purchaser any discount, differential or service granted or rendered to purchasers of the same general class during the base period. "Base period" means the period from July 11 to September 10, 1941, inclusive, when used in connection with sales by manufacturers and the period from September 11 to November 10, 1941, inclusive, when used in connection with sales by persons other than manufacturers.

(b) The maximum price for a pattern of any specific construction of a woven decorative fabric sold by a manufacturer shall be:

(1) 105% of the price quoted for the same pattern of the same construction in the manufacturer's price list in effect on September 10, 1941, to a purchaser of the same general class, or,

(2) If the maximum price cannot be determined under paragraph (b) (1) of this section, 105% of the highest price at which such pattern of the same construction was sold or offered for sale during the period from July 11 to September 10, 1941, inclusive, to a purchaser of the same general class, or,

(3) If the maximum price cannot be determined under paragraph (b) (1) or (2) of this section, the price determined by applying the following formula: The manufacturer shall (i) select the most nearly comparable pattern and construction for which a maximum price is established under paragraphs (b) (1) or (2) of this section; (ii) divide the maximum price for this comparable fabric by its costs (which for this purpose shall be limited to the cost of materials and of direct and indirect labor); and (iii) multiply the percentage so obtained by the cost (determined on the same basis) of the fabric being priced.

In applying this formula the manufacturer shall compute his costs for both fabrics on a current basis. In selecting

the "most nearly comparable pattern and construction" the manufacturer shall choose a fabric which, as compared to the fabric to be priced, would normally be sold by him (i) in the same general classification and price range, (ii) to the same classes of purchasers, (iii) for the same general purposes, and (iv) for approximately the same margin over direct cost. In cases where dyed or colored yarns are used in the fabric being priced hereunder and grey yarns would have served substantially the same purpose as the dyed or colored yarns, the cost of the yarns shall not be computed at any amount higher than the manufacturer's ceiling price for grey yarn.

No manufacturer shall transfer or deliver a woven decorative fabric which was not sold, offered for sale, transferred or delivered during the period between July 11, 1941 and July 13, 1942, inclusive, until he has submitted a report to the Office of Price Administration, Washington, D. C., in accordance with paragraph (a) (2) of § 1400.157, containing his interpretation of a proper maximum price as determined under this subparagraph.

[Subparagraph (3) amended by Am. 4, 8 F.R. 7822, effective 6-15-43; and Am. 7, effective 12-2-44]

(4) If the maximum price cannot be determined under paragraphs (b) (1), (2) or (3), the price approved in writing by the Office of Price Administration, Washington, D. C.:

(c) A manufacturer who sells woven decorative fabrics not produced by or for him as a manufacturer and who sold such fabrics prior to November 10, 1941, shall be governed with respect to such sales by the provisions of Maximum Price Regulation No. 39 applicable to persons other than manufacturers.

[Paragraph (c) added by Am. 5, 8 F.R. 17420, effective 1-4-44]

§ 1400.164 *Appendix B: Maximum prices for sales by persons other than manufacturers.* (a) The provisions of paragraph (a) of § 1400.163 shall apply to the maximum prices established herein.

(b) Except as provided in paragraph (c) of this § 1400.164, the maximum price for a pattern of any specific construction of a woven decorative fabric sold in the performance of a recognized distributive function¹¹ by a person other than a manufacturer shall be:

[Above paragraph amended by Am. 7, effective 12-2-44]

(1) 105% of the price quoted for the same pattern of the same construction in the seller's price list in effect on No-

¹¹ No sale is made "in the performance of a recognized distributive function" within the meaning of this Maximum Price Regulation No. 39 unless it advances the goods sold to the next stage of distribution. Presumptively, a sale by one jobber to another jobber is not a sale in the performance of a recognized distributive function.

venber 10, 1941 to a purchaser of the same general class, or,

[Subparagraph (1) amended by Am. 1, 7 F.R. 5512; effective 7-16-42]

(2) If the maximum price cannot be determined under paragraph (b) (1) of this section, 105% of the highest price at which such pattern of the same construction was sold or offered for sale during the period from September 11 to November 10, 1941, inclusive, to a purchaser of the same general class, or,

(3) If the maximum price cannot be determined under paragraphs (b) (1) or (2) of this section, the price determined by the applications of the following formula: The seller shall (i) select from the same general classification and price range as the pattern being priced under this paragraph (b) (3), the pattern of the most nearly comparable construction for which a maximum price is established under paragraphs (b) (1) or (2) of this section and of which the seller sold or delivered the largest number of units during the period from September 11, to November 10, 1941, inclusive; (ii) divide his maximum price for that pattern by his supplier's present maximum price² for such pattern; and (iii) multiply the percentage so obtained by the maximum price of the supplier for the pattern being priced under this subparagraph: *Provided*, That if the fabric was acquired by the seller from a source other than a manufacturer or a converter the maximum price shall in no event exceed 185 per cent of the manufacturer's maximum price for the fabric, or of the converter's maximum price for the fabric if such fabric was initially purchased by a converter as defined in § 1400.161 (a) (3): *Provided further*, That the formula contained in the subparagraph shall not be used to determine the maximum price of a fabric which was sold to the seller as a remnant, close-out or second; of a fabric purchased from a furniture manufacturer; or of a fabric which was purchased by the seller as part of a job lot; or

[Subparagraph (3) amended by Am. 5, 8 F.R. 17426, effective 1-4-44 and Am. 6, 9 F.R. 458, effective 1-4-44 and Am. 7, effective 12-2-44]

² In determining his supplier's maximum price for the purpose of this subparagraph, the seller shall be permitted to rely upon the written representation of the supplier.

A converter in applying this formula should use as the supplier's maximum price the sum of the maximum price for the grey fabric and the maximum price established by the Office of Price Administration for the finishing operation which he performs or causes to be performed after acquiring the grey fabric.

For the purposes of this formula a converter who does his own finishing shall use as his supplier's maximum price the maximum price which would be applicable under Maximum Price Regulation No. 128—Processing Piece Goods—if the converter were selling the same operation.

[Footnote 12 amended by Am. 7, effective 12-2-44]

(4) If the maximum price cannot be determined under paragraphs (b) (1), (2) or (3) a price not in excess of 125% of the supplier's maximum price:³ *Provided*, That the maximum price shall in no event exceed 185 per cent of the manufacturer's maximum price for the fabric, or of the converter's maximum price for the fabric if such fabric was initially purchased by a converter as defined in § 1400.161 (a) (3).

[Subparagraph (4) amended by Am. 5, 8 F.R. 17426, effective 1-4-44]

(c) *Special price limitations to prevent manipulative practices.* Regardless of the provisions of paragraph (b) of this § 1400.164 the maximum price shall be:

(1) The seller's cost of acquisition without freight in any case where (i) the sale is made by a person whose principal business is that of a furniture manufacturer; or (ii) the sale does not perform a recognized distributive function. (The resale of a fabric purchased from a person whose customary business is that of a retail seller is not a sale in the performance of a recognized distributive function, nor, presumptively, is a sale by one jobber to another jobber.)

(2) The supplier's maximum price, in any case where the fabric being sold was purchased by the seller from a person controlling, controlled by or under common control with the seller.

[Paragraph (c) added by Am. 7, effective 12-2-44]

NOTE: The reporting requirements in this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1932.

Issued this 27th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18048; Filed, Nov. 27, 1944; 11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES [SR 14A¹ to GMFR, Amdt. 29]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9835, 9885, 10514, 12793, 13000, 13724, 15259, 15705, 16604, 16423, 16919, 17169; 9 F.R. 343, 1328, 2176, 3655, 4935, 5529, 6451, 8336, 10358.

² In the sale of a close-out, remnant, second, or fabric purchased in a mixed lot the seller shall use as the supplier's maximum price the actual cost of acquisition of the pattern without any freight or transportation charges.

[Footnote 13 amended by Am. 7, effective 12-2-44]

The effective date provision of § 1499.73a (a) (1a), as provided for in Amendments Nos. 119 and 124 to Supplementary Regulation No. 14 and Amendments Nos. 2, 4, 11, 13, 16 and 19 to Supplementary Regulation No. 14A, is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate December 31, 1944.

This Amendment No. 20 shall become effective as of November 23, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18016; Filed, Nov. 25, 1944; 4:23 p. m.]

Chapter XX—Office of Contract Settlement

[Reg. 7, Cont.]

FAIR COMPENSATION TO WAR CONTRACTORS

FIXED-PRICE WAR SUPPLY CONTRACTS

The second sentence of paragraph 5 (c) (2) as corrected on page 13592 of the FEDERAL REGISTER for Tuesday, November 14, 1944, should be further changed from: "This will be especially helpful in cases or classes of cases where it is impossible . . ." to read: "This will be especially helpful in cases or classes of cases where it is impracticable . . ."

ROGER L. PURNELL,
Deputy Director.

[F. R. Doc. 44-17931; Filed, Nov. 25, 1944; 11:06 a. m.]

TITLE 49—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office¹

[Public Land Order 219]

NORTH DAKOTA

WITHDRAWING PUBLIC LANDS IN AID OF CONTEMPLATED LEGISLATION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in North Dakota are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws and the mineral leasing laws, and reserved, under the jurisdiction of the Secretary of the Interior, in aid of contemplated legislation to enlarge the Roosevelt Recreational Demonstration Area:

FIFTH PRINCIPAL MERIDIAN

T. 143 N., R. 29 W.,
Sec. 10, NW¼SE¼ and S½SE¼;
Sec. 10, lots 1, 3, and 4, E½NE¼, and SE¼;
Sec. 23, SW¼NW¼, NE¼SW¼, and SW¼SW¼;
Sec. 27, NW¼NE¼, S½NE¼, W½SW¼, and SE¼;

¹ Appendix.

Sec. 28, SE $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 30, lots 2 and 4, NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, lots 1 and 2, and NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 32, lots 2, 3, 4, 6, 7, and 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$;
 Sec. 33, lot 2, NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, lot 3 and W $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 140 N., R. 100 W.,
 Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 18, N $\frac{1}{2}$.
 T. 147 N., R. 100 W.,
 Sec. 2, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 4, lots 1, 2, 3, 6, 7, 10, 11, and 12, S $\frac{1}{2}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, lots 2, 3, and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 148 N., R. 100 W.,
 Sec. 13, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 23, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 25;
 Sec. 26, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 28, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 32, NE $\frac{1}{4}$;
 Sec. 34, lots 2 to 7, inclusive, and N $\frac{1}{2}$;
 Sec. 35, lots 1, 2, 3, 7, and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 140 N., R. 101 W.,
 Sec. 4, lots 1, 2, 7, 8, 9, 10, and 12;
 Sec. 6, lots 1, 8, and 9;
 Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 10, SW $\frac{1}{4}$;
 Sec. 12, SE $\frac{1}{4}$;
 Sec. 18, lots 1, 2, 3, and 4;
 Sec. 20;
 Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$.
 T. 141 N., R. 101 W.,
 Sec. 10;
 Sec. 14, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 140 N., R. 102 W.,
 Sec. 2, lot 4.

The areas described aggregate 10,451.22 acres.

ABE FORTAS,
Acting Secretary of the Interior.

NOVEMBER 17, 1944.

[F. R. Doc. 44-18034; Filed, Nov. 27, 1944;
 10:32 a. m.]

[Public Land Order 250]

ALASKA

MODIFYING PUBLIC LAND ORDER NO. 82, WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 82 of January 22, 1943, withdrawing certain public lands in Alaska from sale, location, selection and entry under the public land laws of the United States, including the mining laws, and from leasing under the mineral leasing laws, and reserving the minerals in such lands under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war, is hereby modified

so as to permit (1) the issuance of free coal mining permits under the provisions of section 10 of the Act of October 20, 1914 (38 Stat. 741, 48 U.S.C. sec. 445), and (2) the mining and removal, under the supervision of the Secretary of the Interior, of coal deposits necessary for fuel in Indian and other Federal institutions.

ABE FORTAS,

Acting Secretary of the Interior.

NOVEMBER 20, 1944.

[F. R. Doc. 44-18035; Filed, Nov. 27, 1944;
 10:32 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 243]

PART 95—CAR SERVICE

LIGHT-WEIGHING OF TANK CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of November, A. D. 1944.

It appearing, that the light-weighting of tank cars is impeding the use, control, supply, movement, and distribution of such cars; in the opinion of the Commission an emergency exists requiring immediate action to avoid a shortage of equipment and congestion of traffic.

It is ordered, that:

Tank cars not to be light-weighted. (a) No common carrier by railroad subject to the Interstate Commerce Act shall light-weight a tank car or tank cars on railroad owned track scales, nor shall railroad owned locomotives, engines or motors be utilized in the light-weighting of a tank car or tank cars on industry owned scales, subject to the following exceptions:

Exceptions. (1) Any tank car may be light-weighted once on a railroad owned or an industry owned track scale to obtain the light-weight for the sole purpose of stenciling that light-weight on such tank car.

(2) Any tank car may be light-weighted on a railroad owned or an industry owned track scale one time only in connection with each loaded trip. When such light-weighting is performed prior to loading the light weight so determined shall be shown on the bill of lading and the outbound waybill covering the loaded movement of that particular car. In this event that same car shall not be light-weighted subsequent to unloading thereof. When such light-weighting is not accorded at origin it may be performed at destination.

(b) *Tariffs suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads, or its agents, shall publish, file, and post a supplement in substantial accordance with the provisions of Rule 9 (k) of the Commission's

Tariff Circular No. 20 (§ 141.9 (k) of this chapter) to each of its tariffs affected hereby, announcing the suspension as required by paragraph (b) herein.

(d) *Application.* This order shall apply to intrastate as well as interstate commerce. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall become effective at 12:01 a. m., November 25, 1944, and shall remain in effect until further order of the Commission, and shall vacate and supersede Revised Service Order No. 243 on the effective date hereof; that a copy of this order and direction shall be served upon each State regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTLE,
Secretary.

[F. R. Doc. 44-17962; Filed, Nov. 25, 1944;
 10:35 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 7, Rev. Amdt. 2]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

MOVEMENT OF TRAFFIC IN RAILWAY TANK CARS

Pursuant to Executive Order 8989, as amended, *It is hereby ordered*, That § 502.105 of General Order ODT 7, Revised (7 F.R. 10484) be, and it hereby is, amended to read as follows:

§ 502.105 *Permit required.* (a) Unless authorized by a general or special permit issued by the Office of Defense Transportation, no person shall offer for shipment and no carrier shall accept for shipment, forward, or transport, any loaded tank car containing a commodity to be transported to any destination in the United States or a foreign country less than 200 miles from the shipping point in the United States (such distance being measured over the shortest available published rail tariff route, whether billed or transported over such route or otherwise).

(b) Application for permit shall be made in writing to the Division of Tank Car Service, Liquid Transport Department, Office of Defense Transportation, Washington 25, D. C., and shall be in such form and contain such information as the Office of Defense Transportation shall require.

(c) The provisions of this § 502.105 shall not apply to a tank car containing a commodity consigned by or to the Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration.

This Amendment 2 to General Order ODT 7, Revised, shall become effective on December 1, 1944.

(E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183)

Issued at Washington, D. C., this 25th day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-17980; Filed, Nov. 25, 1944;
11:39 a. m.]

[Administrative Order ODT 29]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY TO DIRECTORS OF
HIGHWAY, RAILWAY, WATERWAY, AND
LIQUID TRANSPORT DEPARTMENTS

Pursuant to the Second War Powers Act, 1942, the Act of October 16, 1941, as amended, the Act of December 1, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294 and War Production Board Directives 21 and 36, It is hereby ordered, That:

- Sec.
503.495 Director, Highway Transport Department; functions and authority.
503.496 Director, Railway Transport Department; functions and authority.
503.497 Director, Waterway Transport Department; functions and authority.
503.498 Director, Liquid Transport Department; functions and authority.
503.499 Supervision and reservation.

AUTHORITY: §§ 503.495 to 503.499, inclusive, issued under the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code § 633; Act of October 16, 1941, 55 Stat. 742, 50 U. S. Code § 721; Act of December 1, 1942, 56 Stat. 1024, 50 U. S. Code § 841; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5834, 9 F.R. 6939.

§ 503.495 *Director, Highway Transport Department; functions and authority.* (a) The Director, Highway Transport Department, Office of Defense Transportation, is hereby authorized and directed to perform the functions and exercise the authority delegated under existing orders, directives, and programs of the Office of Defense Transportation to the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, to the Director, Division of Local Transport, Office of Defense Transportation, and to the Director, Division of Motor Transport, Office of Defense Transportation.

(b) The authority herein delegated may be exercised by the Director, Highway Transport Department, through such members of the staff of the Office of Defense Transportation as he may designate: *Provided*, That redelegations

of authority heretofore made and unrevoked shall continue in effect unless revoked by the Director, Division of Highway Transport, or until otherwise superseded.

(c) Wherever the terms "Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department" or "Director, Division of Local Transport," or "Director, Division of Motor Transport," appear in any outstanding order, directive or recommendation, permit, or other document issued by the Office of Defense Transportation, such terms shall be construed to mean the Director, Highway Transport Department, Office of Defense Transportation.

§ 503.496 *Director, Railway Transport Department; functions and authority.*

(a) The Director, Railway Transport Department, Office of Defense Transportation, is hereby authorized and directed to perform the functions and exercise the authority delegated under existing orders, directives, and programs of the Office of Defense Transportation to the Assistant Director, Office of Defense Transportation, in charge of Railway Transport, to the Director, Division of Railway Transport, Office of Defense Transportation, to the Director, Division of Traffic Movement, Office of Defense Transportation, and to the Director, Division of Transport Personnel, Office of Defense Transportation.

(b) The authority herein delegated may be exercised by the Director, Railway Transport Department, through such members of the staff of the Office of Defense Transportation as he may designate: *Provided*, That redelegations of authority heretofore made and unrevoked shall continue in effect unless revoked by the Director, Division of Railway Transport, or until otherwise superseded.

(c) Wherever the terms "Assistant Director, Office of Defense Transportation, in charge of Railway Transport," or "Director, Division of Railway Transport," or "Director, Division of Traffic Movement," or "Director, Division of Transport Personnel," appear in any outstanding order, permit, or other document issued by the Office of Defense Transportation, such terms shall be construed to mean the Director, Railway Transport Department, Office of Defense Transportation.

§ 503.497 *Director, Waterway Transport Department; functions and authority.*

(a) The Director, Waterway Transport Department, Office of Defense Transportation, is hereby authorized and directed to perform the functions and exercise the authority delegated under existing orders, directives, and programs of the Office of Defense Transportation to the Assistant Director, Office of Defense Transportation, in charge of Water Transport, and to the Assistant Director, Office of Defense Transportation, in charge of Waterways Transport Department.

(b) The authority herein delegated may be exercised by the Director, Waterway Transport Department, through such members of the staff of the Office of Defense Transportation as he may

designate: *Provided*, That redelegations of authority heretofore made and unrevoked shall continue in effect unless revoked by the Director, Waterway Transport Department, Office of Defense Transportation, or until otherwise superseded.

(c) Wherever the terms "Assistant Director, Office of Defense Transportation, in charge of Water Transport," or "Assistant Director, Office of Defense Transportation, in charge of the Waterways Transport Department," appear in any outstanding order, permit, or other document issued by the Office of Defense Transportation, such terms shall be construed to mean the Director, Waterway Transport Department, Office of Defense Transportation.

§ 503.498 *Director, Liquid Transport Department; functions and authority.*

(a) The Director, Liquid Transport Department, Office of Defense Transportation, is hereby authorized and directed to perform the functions and exercise the authority delegated under existing orders, directives, and programs of the Office of Defense Transportation to the Assistant Director, Office of Defense Transportation, in charge of Liquid Transport and to the Director, Division of Petroleum and Other Liquid Transport, Office of Defense Transportation.

(b) The authority herein delegated may be exercised by the Director, Liquid Transport Department, through such members of the staff of the Office of Defense Transportation as he may designate: *Provided*, That redelegations of authority heretofore made and unrevoked shall continue in effect unless revoked by the Director, Liquid Transport Department, or until otherwise superseded.

(c) Wherever the terms "Assistant Director, Office of Defense Transportation, in charge of Liquid Transport," or "Director, Division of Petroleum and Other Liquid Transport," appear in any outstanding order, permit, or other document issued by the Office of Defense Transportation, such terms shall be construed to mean the Director, Liquid Transport Department, Office of Defense Transportation.

§ 503.499 *Supervision and reservation.* The exercise of the authority conferred by this Administrative Order ODT 29 shall be subject to the general control and supervision of the Director of the Office of Defense Transportation, and the right of modification or revocation by said Director in any specific case. Notwithstanding any provisions of the order, said Director, in his discretion, may exercise from time to time any authority, or perform any function or duty, delegated by this order.

This Administrative Order ODT 29 shall become effective November 15, 1944.

Issued at Washington, D. C., this 11th day of November 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-17951; Filed, Nov. 24, 1944;
3:23 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

E. L. JACOBS AND SON

ORDER REVOKING LICENSES, DIRECTING SURRENDER OF LICENSES AND REQUIRING RECORDS TO BE FURNISHED

To: E. L. Jacobs and Argus Jacobs, E. L. Jacobs and Son, Hartman, Arkansas. Based upon the records in this matter, including your answer, I make the following findings of fact:

1. On October 30, 1944, a specification of charges against you setting forth violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations issued thereunder of which you were accused was mailed to you giving you notice to mail and answer within 15 days from October 30, 1944, answering the charges against you and requesting an oral hearing if you wished.

2. Your answer dated November 6, 1944, was received on November 10, 1944, and has been considered. No other communication has been received from you. You have not requested an oral hearing.

3. On or about September 26, 1944, you stored high explosives and low explosives, detonators, and fuse otherwise than in magazines meeting the standards required by the regulations. You thereby violated sections 24-28 of the regulations.

4. You have failed to keep a full, detailed, and tabulated record of your transactions and operations involving explosives. You thereby violated section 5 of the act and section 14 (d) of the regulations.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

1. That all licenses issued to you under the Federal Explosives Act be and they are hereby revoked as of midnight, December 9, 1944.

2. That prior to midnight, December 9, 1944, you shall sell or otherwise dispose of, to properly licensed persons, or destroy, all explosives and ingredients of explosives owned or possessed by you or consigned to you or which are in your custody.

3. That after having sold or otherwise disposed of, or destroyed, all of the explosives and ingredients of explosives as required by paragraph 2 of this order, you shall, prior to midnight, December 9, 1944, deliver or mail to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas, a sworn statement of your transactions in and destructions of explosives and ingredients of explosives beginning with the date of this order and ending with the final sale or other disposition or destruction of explosives and ingredients of explosives as required above. The statement shall set forth the amount of each kind of explosives and ingredients of explosives which you had on hand at each location on the opening of business on the date of this order,

the amount of each kind acquired by you that day and each day thereafter, the dates on which acquired, the names and addresses of the persons from whom acquired, the amount of each kind sold or otherwise disposed of by you, the dates on which sold or otherwise disposed of, the names and addresses of the persons to whom sold or otherwise disposed of, the numbers and dates of the Federal explosives licenses of the persons to whom sold or otherwise disposed of, the amount of each kind destroyed by you, the dates on which destroyed and the places where destroyed.

4. That prior to midnight, December 9, 1944, you shall surrender all licenses issued to you under the Federal Explosives Act and all copies thereof by mailing or delivering them to G. M. Kintz, Supervising Engineer, United States Bureau of Mines, 1416 Gulf States Building, Dallas 1, Texas.

Failure to comply with any of the provisions of this order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than \$5,000 or by imprisonment for not more than one year or by both such fine and imprisonment.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 20th day of November 1944.

R. R. SAYERS,
Director.

[F. R. Doc. 44-17972; Filed, Nov. 25, 1944;
11:02 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6140]

UTICA BROADCASTING CO., INC.

NOTICE OF HEARING

In re application of Utica Broadcasting Company, Inc. (New); date filed, June 4, 1941; for construction permit for new station; class of service, broadcast; class of station, broadcast; location, Utica, New York; operating assignment specified: frequency, 1450 kc, Class IV; power, 250 w; hours of operation, unlimited. File No. B1-P-3206.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with Docket No. 6683 for the following reasons:

1. To obtain current information concerning the legal, technical, financial, and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station, and what other broadcast services are available to these areas and populations.

3. To obtain current information concerning the type and character of the program service which the applicant may

be expected to render and to determine the extent to which such service is now being rendered by any other station or stations serving the proposed area in whole or in part.

4. To obtain current information concerning the applicant's proposals with respect to the employment of personnel to construct and operate the proposed station.

5. To determine the nature, extent, and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of a station at Binghamton, New York, as proposed in the application of Joseph H. McGillvra, Agnes I. McGillvra, and Adam J. Young, Jr., doing business as Binghamton Broadcasting Company (File No. B1-P-3653; Docket No. 6657), as well as the areas and populations affected thereby, and the nature of other broadcast service available to these areas and populations.

6. To determine whether a grant of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

7. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's Supplemental Statement of Policy of January 26, 1944.

8. To determine whether the granting of this application would be otherwise consistent with the Commission's Memorandum Opinion of April 27, 1942, as supplemented.

9. To determine whether the proposed station would provide primary broadcast service to the entire Utica-Rome metropolitan district in accordance with the Commission's Standards of Good Engineering Practice.

10. To determine the interference which will result from the simultaneous operation of the applicant as proposed in the instant application and that proposed by the Utica Observer Dispatch, Inc., in its application File No. B1-P-2702, Docket No. 6043, and the operation proposed by Midstate Radio Corporation in its application File No. B1-P-3171, Docket No. 6141.

11. To determine whether public interest, convenience, or necessity would be served by a grant of this application, or a grant of the application of Ronald B. Woodyard (File No. B1-P-3636; Docket No. 6683).

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with

the provisions of §§ 1.102, 1.141, and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Utica Broadcasting Co., Inc., c/o Moses G. Hubbard, Jr., 1119 First National Bank Building, Utica, New York.

Dated at Washington, D. C., November 21, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-17976; Filed, Nov. 25, 1944;
10:58 a. m.]

[Docket No. 6833]

RONALD B. WOODYARD

NOTICE OF HEARING

In re application of Ronald B. Woodyard (New); date filed, June 9, 1944; for construction permit for a new station; class of service, broadcast; class of station, broadcast; location, Utica, New York; operating assignment specified: frequency, 1,450 kc; power, 250 w; hours of operation, unlimited. File No. B1-P-3636.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with Docket No. 6140 for the following reasons:

1. To determine the applicant's legal, technical, financial, and other qualifications to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary broadcast service from the operation of the proposed station, and what other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which the applicant may be expected to render and to determine the extent to which such service is now being rendered by any other broadcast station or stations serving the proposed area in whole or in part.

4. To determine the applicant's proposals with respect to the employment of personnel to construct and operate the proposed station.

5. To determine the nature, extent, and effect of any interference which would result from the simultaneous operation of the proposed station, and from the operation of a station at Binghamton, New York, as proposed in the application of Joseph H. McGillivra, Agnes I. McGillivra, and Adam J. Young, Jr., doing business as Binghamton Broadcasting Company (File No. B1-P-3653; Docket No. 6657), as well as the areas and populations affected thereby, and the nature of other broadcast service available to these areas and populations.

6. To determine whether a grant of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

No. 237—5

7. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's Supplemental Statement of Policy of January 26, 1944.

8. To determine whether the granting of this application would be otherwise consistent with the Commission's Memorandum Opinion of April 27, 1942, as supplemented.

9. To determine whether the proposed station would provide primary broadcast service to the entire Utica-Rome metropolitan district in accordance with the Commission's Standards of Good Engineering Practice.

10. To determine the interference which will result from the simultaneous operation of the applicant as proposed in the instant application and that proposed by the Utica Observer Dispatch, Inc., in its application File No. B1-P-2702, Docket No. 6043, and the operation proposed by Midstate Radio Corporation in its application File No. B1-P-3171, Docket No. 6141.

11. To determine whether public interest, convenience, or necessity would be served by a grant of this application or the application of Utica Broadcasting Co., Inc., File No. B1-P-3206; Docket No. 6140.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicant already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Ronald B. Woodyard, 1400 W. Stroop Road, Dayton, Ohio.

Dated at Washington, D. C., November 21, 1944.

By The Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-17977; Filed, Nov. 23, 1944;
10:59 a. m.]

[Docket No. 6837]

ALTOONA BROADCASTING CO.

NOTICE OF HEARING

In re application of Altoona Broadcasting Company (New); date filed, July 29, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Altoona, Pennsylvania; operating assignment specified; frequency, 1240 kc; power, 250 w; hours

of operation, unlimited. File No. B2-P-2670.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Roy F. Thompson, trading as Thompson Broadcasting Company, Docket No. 6593, for the following reasons:

1. To determine the legal, technical and financial qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would gain primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

4. To determine whether the proposed station would provide primary service to:

- (a) The business district,
- (b) The residential districts,

(c) The metropolitan district of Altoona as contemplated by the Standards of Good Engineering Practice.

5. To determine the extent of any interference which would result from the simultaneous operation of the applicant and Station WJEJ, Hagerstown, Maryland.

6. To determine whether the granting of this application would serve an outstanding public need or national interest.

7. To determine whether the granting of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

8. To determine whether the granting of this application, or the application of Roy F. Thompson, trading as Thompson Broadcasting Company (B2-P-3703) or either of them would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicant already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Altoona Broadcasting Company, 1501 Eleventh Avenue, Altoona, Pennsylvania.

Dated at Washington, D. C., November 21, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-17978; Filed, Nov. 25, 1944;
10:59 a. m.]

[Docket No. 6698]

ROY F. THOMPSON TRADING AS THOMPSON
BROADCASTING CO.

NOTICE OF HEARING

In re application of Roy F. Thompson trading as Thompson Broadcasting Company (New); date filed, September 22, 1944; for construction permit for a new standard broadcast station; class of service, broadcast; class of station, broadcast; location, Altoona, Pennsylvania; operating assignment specified: frequency, 1240 kc; power, 250 w; hours of operation, unlimited. File No. B2-P-3703.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the application of Altoona Broadcasting Company, Docket No. 6697, for the following reasons:

1. To determine the legal, technical and financial qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which would gain primary service from the operation of the proposed station and what other broadcast services are available to those areas and populations.

4. To determine whether the proposed station would provide primary service to:

(a) The business district,
(b) The residential districts,
(c) The metropolitan district of Altoona as contemplated by the Standards of Good Engineering Practice.

5. To determine the extent of any interference which would result from the simultaneous operation of the applicant and Station WJEJ, Hagerstown, Maryland.

6. To determine whether the granting of this application would serve an outstanding public need or national interest.

7. To determine whether the granting of this application would be consistent with the Commission's Supplemental Statement of Policy of January 26, 1944.

8. To determine whether the granting of this application, or the application of Altoona Broadcasting Company (B2-P-3670) or either of them would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicant already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Roy F. Thompson, tr/as Thompson

Broadcasting Company, 310 Pine Avenue, Altoona, Pennsylvania.

Dated at Washington, D. C., November 21, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 44-17979; Filed, Nov. 25, 1944;
11:00 a. m.]

- [Docket No. 6583]

CALUMET BROADCASTING CORP.

ORDER STATING HEARING ISSUES

In re application of Calumet Broadcasting Corporation (New), Hammond, Indiana, for construction permit, File No. B4-P-3563.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of November 1944;

The Commission having under consideration a petition (filed September 11, 1944) by Calumet Broadcasting Corporation to reopen the record in the matter of its application for construction permit for a new standard broadcast station at Hammond, Indiana (Docket No. 6583), for acceptance of amendment and for reconsideration and grant upon the basis of the amendment;

It is ordered, That the petition be, and it is hereby, granted in part to reopen the record for acceptance of amendment; and

It is further ordered, That the petition be, and it is hereby, denied in part insofar as it requests a grant of the application as amended; and

It is further ordered, That the application as amended be, and it is hereby, designated for further hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To obtain full information with reference to the method of financing the applicant corporation and the issuance, ownership, transfer and control of the stock of the applicant corporation.

3. To obtain full information with reference to loans made by the applicant corporation.

4. To determine whether the statements and representations made to the Commission in the petition and in the amendment (filed September 11, 1944) fully and accurately reflect the facts.

5. To determine whether in view of the facts adduced under the issues in this matter, public interest, convenience and necessity would be served by granting the instant application.

The hearing date will be set upon receipt by the Commission, on or before December 4, 1944, of notice of intention of applicant to appear at the hearing.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION.T. J. SLOWIE,
Secretary.[F. R. Doc. 44-18087; Filed, Nov. 25, 1944;
12:01 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 697]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 22, 1944, by W. J. Engle Company, of car BREX 75207, potatoes, now on the Wood Street Terminal, to Red Dot Company, Madison, Wisconsin, (I. O.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.[F. R. Doc. 44-17963; Filed, Nov. 25, 1944;
10:35 a. m.]

[S. O. 70-A, Special Permit 698]

RECONSIGNMENT OF POTATOES AT
NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at New York, N. Y. (Croton Yards, N. Y.) November 23, 1944, by S. Albertson Company, Boston Massachusetts, of car MDT 22335, potatoes, now on the Erie Railroad, to S. Albertson Company, Boston, Massachusetts (Erie-NYN&H).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by

filing in with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-17964; Filed, Nov. 25, 1944;
10:35 a. m.]

[S. O. 70-A, Special Permit 699]

RECONSIGNMENT OF FGE CAR AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at St. Louis, Missouri, November 22, 1944, by H. S. Denison and Company, of car FGE 25219, now on the Wabash Railroad to H. S. Denison and Company, Memphis, Tennessee (Frisco).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-17865; Filed, Nov. 25, 1944;
10:35 a. m.]

[S. O. 70-A, Special Permit 700]

RECONSIGNMENT OF APPLES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, November 22, 1944, by Mojonner and Sons, Inc., of car WFE 63134, apples, now on the Chicago, Burlington & Quincy Railroad, to Apfel & Brooks, San Antonio, Texas, (M. K. T.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as

agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-17966; Filed, Nov. 25, 1944;
10:35 a. m.]

[S. O. 70-A, Special Permit 701]

RECONSIGNMENT OF ORANGES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, November 22, 1944, by M. Lepidus & Son of car PFE 16939, oranges, now on the Chicago Produce Terminal, to Battaglia Brokerage Company, Minneapolis, Minnesota (Milw.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-17867; Filed, Nov. 25, 1944;
10:35 a. m.]

[S. O. 70-A, Special Permit 703]

RECONSIGNMENT OF POTATOES AT MINNE- APOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, October 23, 1944, by The Farnochon Company, of car SFED 35735, potatoes, now on the Great Northern Railroad, to Thomas

McMahon, St. Paul, Minnesota, (Great Northern), account car arrived in bad order and was delayed on rip track for repairs.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-17868; Filed, Nov. 25, 1944;
10:35 a. m.]

[Corrected S. O. 253]

UNLOADING OF COAL AT KEYSER, W. VA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of November A. D. 1944.

It appearing, that certain cars containing coal at Keyser, West Virginia, on the Baltimore and Ohio Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action;

It is ordered, that:

Coal at Keyser, West Virginia be unloaded. (a) The Baltimore and Ohio Railroad Company, its agents or employees, shall unload forthwith the following cars of coal shipped from Watson strip mine, Bear Mountain District, by Wood and Watson, now on hand at Keyser Yard, Keyser, West Virginia:

FRR 157473	E&O 422073
E&O 324915	E&O 332492
E&O 323059	Reading 77433
E&O 433001	E&O 425624
E&O 433709	E&O 426377
E&O 223915	E&O 232039
E&O 223295	E&O 326332
E&O 224163	E&O 334033
E&O 24169	Sou 322224

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of coal have been completely unloaded. Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 911; 49 U.S.C. 1 (10)-(17) 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Baltimore and Ohio Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of

that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-18036; Filed, Nov. 27, 1944;
10:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4239]

KWAN MOOK LEE

In re: Estate of Kwan Mook Lee, deceased; File D-39-18319; E. T. sec. 11539; H-239.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hak Kiu Lee and Wha Kyung Lee, and each of them, in and to the Estate of Kwan Mook Lee, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Hak Kiu Lee, Korea.
Wha Kyung Lee, Korea.

That such property is in the process of administration by E. R. Bevins, as Administrator of the Estate of Kwan Mook Lee, acting under the judicial supervision of the Circuit Court, Second Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 25, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18037, Filed, Nov. 27, 1944;
11:21 a. m.]

[Vesting Order 4259]

KUMAKICHI MORITA

In re: Estate of Kumakichi Morita, deceased; File D-39-18321; E. T. sec. 11392; H-248.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Yoshinaga Morita and Mrs. Sadame Saiki, and each of them, in and to the Estate of Kumakichi Morita, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Yoshinaga Morita, Japan.
Mrs. Sadame Saiki, Japan.

That such property is in the process of administration by Anthony S. Carvalho, Chief Clerk of the Circuit Court of the Third Judicial Circuit, Territory of Hawaii, as Statutory Administrator of the Estate of Kumakichi Morita, acting under the judicial supervision of the Circuit Court, Third Judicial Circuit, Territory of Hawaii;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid

in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 6, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-18038; Filed, Nov. 27, 1944;
11:21 a. m.]

[Supplemental Vesting Order 4280]

PETER GRABENDOERFER

In re: Estate of Peter Grabendoerfer, also known as Peter Grobendorfer, deceased; File D-28-8635; E. T. sec. 10352.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the heirs, next of kin and distributees, names unknown, of Peter Grabendoerfer, also known as Peter Grobendorfer, deceased, in and to the Estate of Peter Grabendoerfer, also known as Peter Grobendorfer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heirs, next of kin and distributees, names unknown, of Peter Grabendoerfer, also known as Peter Grobendorfer, deceased, Germany.

That such property is in the process of administration by Leonard B. Rosenthal, as Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall

not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 9, 1944.

[SEAL] FRANCIS J. MCNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 44-18039; Filed, Nov. 27, 1944;
11:21 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 416]

COMMON CARRIERS

DISCONTINUANCE OF ACCEPTANCE OF PROPERTY FOR TRANSPORTATION OVER ANY CIRCUITOUS ROUTE

Pursuant to Title III of the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21, and to effectuate the provisions of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 14582; 9 F.R. 2793, 3264, 3357, 6778) and particularly §§ 501.5 (a), 501.6 (b) (2), and 501.10 (a) thereof; to conserve and providently utilize transportation equipment, material and supplies; to provide for the prompt and continuous movement of necessary traffic; to alleviate present shortage of equipment and to relieve congestion of traffic the attainment of which purposes is essential to the prosecution of the war and, being satisfied that the fulfillment of requirements for the defense of the United States has resulted and will continue to result in a shortage in supply of motor transportation equipment, materials, and facilities for defense and for private account, and it being necessary and appropriate in the public interest and to promote the national defense, *It is hereby ordered, That:*

1. (a) Cotant Truck Lines, Inc., a corporation, shall not accept at Wells, Nevada, or at any point westerly thereof, property for transportation to or through Ogden or Salt Lake City in the State of Utah, via Twin Falls, Idaho, or via any other point in the State of Idaho, and

neither Garrett Freightline, Inc., a corporation, nor any other motor common carrier shall accept from Cotant Truck Lines, Inc., any property for such transportation.

(b) The Gallagher Transfer and Storage Company, a corporation, shall not accept at Ogden or Salt Lake City in the State of Utah, or at any point east or southerly thereof, property for transportation to Wells, Nevada, or to any point beyond on the lines of Cotant Truck Lines, Inc., via Twin Falls, Idaho, or via any other point in the State of Idaho, and neither Garrett Freightlines, Inc., Cotant Truck Lines, Inc., nor any other motor common carrier shall accept any property for such transportation.

2. (a) Any property accepted by Cotant Truck Lines, Inc., at Wells, Nevada, or at any point westerly thereof, for transportation to or through Ogden or Salt Lake City in the State of Utah, shall be accepted for transportation from or through Wells, Nevada, to or through Salt Lake City or Ogden in the State of Utah only over United States Highway 40 or United States Highways 40 and 50.

(b) Any property accepted by The Gallagher Transfer and Storage Company or Garrett Freightlines, Inc., at Salt Lake City or Ogden in the State of Utah, or at any point easterly or southerly thereof, for transportation to Wells, Nevada, or any point beyond on the lines of Cotant Truck Lines, Inc., shall be accepted for transportation from or through Salt Lake City or Ogden, or points south in the State of Utah to or through Wells, Nevada, only over United States Highway 40 or over United States Highways 40 and 50.

This Supplementary Order ODT 3, Revised—416, shall become effective December 1, 1944.

(Title III of the Second War Powers Act, 1942, 56 Stat. 177, 50 U.S. Code § 633; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 25th day of November 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-17850; Filed, Nov. 24, 1944;
3:20 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 183, Order 2367]

FLECK, BAUMANN Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.153 of MPR 183, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three magazine racks manufactured by Fleck, Baumann Company, 1015 Lucas Avenue, St. Louis 1, Missouri,

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 183, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Magazine rack,.....	10	\$4.64	\$4.76
Magazine rack,.....	15	4.25	5.00
Magazine rack,.....	20	4.25	5.00

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 18, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.153, of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Magazine rack, 10.....	\$4.76
Magazine rack, 15.....	5.00
Magazine rack, 20.....	5.00

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 18, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18004; Filed, Nov. 25, 1944;
11:53 a. m.]

[MPR 188, Order 2969]

G & G MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a porch gate manufactured by G & G Manufacturing Company, 142 Green Street, Worcester 8, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Porch gate.....	6	Each \$0.73	Each \$0.87

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated September 15, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subdivision (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188 for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manu-

facturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.: *Maximum price to retailers (each)*
Porch gate, 6..... \$.87

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated September 15, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18005; Filed, Nov. 25, 1944;
11:53 a. m.]

[MPR 188, Order 2972]

REST RIGHT PRODUCTS MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a baby crib manufactured by Rest Right Products Manufacturing Co., 227 East Cevallos Street, San Antonio 4, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Baby crib.....	RR1	Each \$3.75	Each \$7.25

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article de-

scribed in the manufacturer's application dated September 4, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.: *Maximum price to retailers (each)*
Baby crib, RR1..... \$7.25

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated September 4, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18006; Filed, Nov. 25, 1944;
11:52 a. m.]

[MPR 188, Amdt. 63 to Order A-1]

CLAY HOLLOW BUILDING TILE

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. A-1 is amended in the following respects:

1. Paragraph (a) (43) is amended to read as follows:

(43) *Modification of maximum prices for structural clay hollow building tile.*

(i) The manufacturer's maximum prices established pursuant to Maximum Price Regulation No. 188, as amended, for structural clay hollow building tile (except ceramic glazed ware) and clay drain tile produced in the States of Virginia, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, and Mississippi, may be increased by adding thereto an amount not in excess of \$0.60 per ton to the f. o. b. plant prices or delivered prices.

(ii) Any jobber or dealer purchasing structural clay hollow building tile and clay drain tile for resale from any manufacturer who has modified his maximum prices in accordance with subdivision (i) above, may increase his maximum prices, established under the General Maximum Price Regulation, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in subdivision (i) above.

(iii) The maximum prices established herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(iv) Any price adjustments granted prior to November 23, 1944, for any seller of building tile covered by this paragraph (a) (43) are hereby revoked.

This amendment No. 63 shall become effective November 23, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18008; Filed, Nov. 25, 1944;
11:54 a. m.]

[MPR 188, Order 54 Under 2d Rev. Order A-3]

H. J. J. Co.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation 188, it is ordered:

(a) *Manufacturer's maximum price.* H. J. J. Company, 3017 Summit Street, Oakland, California, for all sales and deliveries of the screw holding screw driver of its manufacture, may add the following increase to its maximum list price in effect prior to the effective date of this order, resulting in the following adjusted list price:

Article	Increase	Adjusted list price
Screw holding screw driver.....	\$0.25	\$1.69

This increase may be made and collected only if separately stated. The adjusted price is subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum price of purchasers for resale.* Any purchaser for resale, who handles the screw holding screw driver for which the manufacturer's maximum price has been adjusted as provided in paragraph (a) in the course of its distribution from the manufacturer to the user, may add to his properly established maximum price in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to the manufacturer, provided such amount is separately stated. Such adjusted price is subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at the adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 54 under Second Revised Order A-3 under MPR 188 authorizes all sellers of the article covered by this invoice to adjust their ceiling price, in effect immediately prior to November 27, 1944, by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is separately stated on an invoice which contains this notice. No other increase is authorized.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18007; Filed, Nov. 25, 1944;
11:52 a. m.]

[MPR 260, Order 45]

CONTINENTAL IMPORTING Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended: *It is ordered, That:*

(a) Continental Importing Co., 9904 Gratiot Avenue, Detroit, Michigan (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Frontmark	Packing	Maximum list price	Maximum retail price
Continental Martini	Cigars.....	50 \$173.00	\$0.22
	Loose.....	50 277.25	.23
	Cigars.....	50 215.00	3 for 1.00
Continental Viceroy	Cigars.....	50 125.00	.17
	Loose.....	25 175.00	.18
	Extra Cigars.....	50 225.00	.20
	Cigars.....	25 200.00	3 for 1.00

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 27, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18009; Filed, Nov. 25, 1944;
11:52 a. m.]

[Order 70 Under Order 375 of 3 (b)]

PEPSI-COLA Co.

AUTHORIZATION OF MAXIMUM PRICES

Correction

In F. R. Doc. 44-17866, appearing in the issue of Friday, November 24, 1944, on page 14001, the designation in brackets should read as set forth above.

[MPR 120, Order 1154]

CRAB ORCHARD IMPROVEMENT Co.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) 3" x 0 refuse coals produced by Crab Orchard Improvement Company, Chicago, Illinois, at its Eccles No. 5 Mine, Mine Index No. 62 in District No. 7, may be purchased and sold, for rail shipments at per net ton prices in cents per net ton not exceeding 275 cents f. o. b. the rail shipping point.

(b) All prayers of applicant not granted herein are hereby denied.

(c) This order may be revoked or amended at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

This order shall become effective November 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18020; Filed, Nov. 25, 1944;
4:29 p. m.]

[MPR 120, Order 1155]

PITTSBURGH COAL Co.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

(a) The Russell No. 2 Mine, operating as a strip mine in the Pittsburgh Seam and located in Allegheny County, Pennsylvania, in Subdistrict No. 7 of Dis-

trict No. 2, of Pittsburgh Coal Company, Pittsburgh, Pennsylvania, is hereby assigned Mine Index No. 4121 and the coals of said mine are hereby classified in Railroad Fuel Price Group No. 1 and Maximum Truck Price Group No. 5.

(b) Coals produced by Pittsburgh Coal Company, Pittsburgh, Pennsylvania, from its Russell No. 2 Mine, Mine Index No. 4121 in District No. 2, are hereby classified as follows, and such coals may be purchased and sold at per net ton prices in cents per net ton not exceeding the following:

	Size group No.										
	1	2	3	4	5	6	7	8	9	10	11
Price classifications.....	F	F	H	H	H	H	J	J	J
Rail shipments.....	235	235	270	270	270	260	235	235	225
Truck shipments.....	425	425	425	390	360	360	360	325	235	235	270
Railroad fuel.....	290	290	290	290	290	275	245	245	215	215

(c) The prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) All prayers of applicant not granted herein are hereby denied.

(e) This order may be revoked or amended at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective November 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of November 1944.

JAMES G. ROGERS,
Acting Administrator.

[F. R. Doc. 44-18021; Filed, Nov. 25, 1944;
4:30 p. m.]

[MPR 120, Order 1156]

ACORN COAL Co., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance

with § 1340.210 (a) (6) of Maximum Price Regulation No. 120 *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

CONSUMERS MINING CORP., TAZEWELL, VA., CONSUMERS MINING CORP. MINE, CARY SEAM, MINE INDEX NO. 7213, TAZEWELL COUNTY, VA., SUBDISTRICT 9, RAIL SHIPPING POINT: RED ASH, VA., F. O. G. 21, DEEP MINE MAXIMUM TRUCK PRICE GROUP NO. 6

[Low volatile]

	Size Group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification.....	O	O	D	D	D	O	O	H	H	H
Rail shipment.....	390	400	375	385	320	370	315	295	290	285
Truck shipment.....	435	435	430	380	410	345	285	280		

Railroad locomotive fuel for mine index No. 7213:

Any single-screened lump or double-screened coals..... 360
Screenings, larger than $1\frac{1}{4}'' \times 0$ but not exceeding $2\frac{1}{2}'' \times 0$ 330
Run of mine..... 345
Screenings $1\frac{1}{4}'' \times 0$ and smaller..... 305

This order shall become effective November 27, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of November 1944.

JAMES G. ROGERS, JR.,
Acting Administrator.

[F. R. Doc. 44-18022; Filed, Nov. 25, 1944; 4:31 P. M.]

[MPR 120, Order 1157]

WEST KENTUCKY COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (4) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index 120.

WEST KENTUCKY COAL CO., EARTHINGTON, KY., ARBON No. 9 SEAM, MINE INDEX No. 200, HORTON COUNTY, KY., RAIL SHIPPING POINT: EARTHINGTON, KY., SHUT MINE, MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

	Size Group Nos.									
	1 to 6, incl.	7	8 to 12, incl.	13 to 22, incl.	23 to 29, incl.	30 to 39, incl.	40 to 49, incl.	50 to 59, incl.	60 to 69, incl.	70 to 79, incl.
Rail shipments and railroad fuel.....	220	210	200	230	175	230	175	230	175	165

WEST KENTUCKY COAL CO., EARTHINGTON, KY., ARBON No. 11 MINE, No. 11 SEAM, MINE INDEX No. 200, HORTON COUNTY, KY., RAIL SHIPPING POINT: EARTHINGTON, KY., SHUT MINE, MAXIMUM PRICE GROUP NO. 3 FOR RAIL SHIPMENTS AND RAILROAD FUEL

Rail shipments and railroad fuel.....	220	210	200	230	175	230	175	230	175	165
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ACORN COAL CO., INC., ACORN, KY., NORTON MINE, No. 3 SEAM, MINE INDEX No. 7199, PUTLASH COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: SOMERSET, KY., F. O. G. 171, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification.....	M	M	M	M	K	K	J	G	E	G
Rail shipments and railroad fuel.....	365	365	360	360	360	360	350	325	300	295
Truck shipment.....	380	360	335	335	320	295	260	265		

ANGUS BUTCHER, WILLIAMSBURG, KY., BUTCHER MINE, CANNEL SEAM AND No. 3 SEAM, MINE INDEX No. 7233, JOHNSON COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PAINESVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

Price classification.....	M	M	M	M	K	K	J	G	E	G
Rail shipments and railroad fuel.....	350	350	345	345	345	345	310	310	340	295
Truck shipment.....	380	360	335	335	320	295	260	235		

Cannel coal for mine index No. 7233—all methods of shipment:

Lump..... 435
Chips..... 335
Run of mine..... 335
Machine cuttings..... 235

R. R. DAWSON QUARRIES, 415 HEBURN BLDG., LOUISVILLE, KY., DAWSON SHIP MINE, LUXE SEAM, MINE INDEX No. 7225, LAUREL COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: LONDON, KY., F. O. G. 111, SHUT MINE, MAXIMUM TRUCK PRICE GROUP No. 6

Price classification.....	M	M	M	M	K	K	J	G	E	G
Rail shipments and railroad fuel.....	365	365	360	360	360	360	350	325	300	295
Truck shipment.....	380	360	335	335	320	295	260	235		

MCCOY COAL CO., CLINTON, VA., SPLASH DAM MINE, SPLASH DAM SEAM, MINE INDEX No. 7209, DEERFIELD COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: NOLA, VA., F. O. G. 10, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

Price classification.....	M	M	M	M	K	K	J	G	E	G
Rail shipments and railroad fuel.....	365	365	360	360	360	360	350	325	300	295
Truck shipment.....	380	360	335	335	320	295	260	235		

MOORE COAL CO., P. O. DENPA, KY., MOORE No. 1 MINE, HORSE CREEK SEAM, MINE INDEX No. 2412, JACKSON COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: BEULA, KY., F. O. G. 111, DEEP MINE

Price classification.....	M	M	M	M	K	K	J	G	E	G
Rail shipments and railroad fuel.....	365	365	360	360	360	360	350	325	300	295
Truck shipment.....	380	360	335	335	320	295	260	235		

Previously established.

PERRY RANNEY COAL CO., CORTNEY, VA., PERRY RANNEY MINE, PERRY RANNEY SEAM, MINE INDEX No. 7221, WISE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: CORTNEY, VA., F. O. G. 35, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

Price classification.....	M	M	M	M	K	K	J	G	E	G
Rail shipments and railroad fuel.....	365	365	360	360	360	360	350	325	300	295
Truck shipment.....	380	360	335	335	320	295	260	235		

SHORT CREEK COAL CO., 205 Old FELLOWS BLDG., CHARLESTON (S. C.), W. VA., DAVIS CREEK MINE, WINIFRED SEAM, MINE INDEX No. 7248, KANAWHA COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: CHARLESTON, W. VA., F. O. G. 13, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

Price classification.....	J	J	J	J	L	L	K	H	F	H
Rail shipment.....	375	375	370	370	360	360	350	340	300	295
Railroad fuel.....	375	375	370	370	360	360	350	340	300	295
Truck shipment.....	405	395	360	360	350	350	340	300	295	235

MANTOBA MINING CO., P. O. Box 2107, CHARLESTON 28, W. VA., MANTOBA MINE, CHILTON SEAM, MINE INDEX No. 722, LOGAN COUNTY, W. VA., SUBDISTRICT 5, RAIL SHIPPING POINT: ETHEL, W. VA., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	15, 16, 17
Price classification.....	O	O	O	O	O	L	K	K	H	K	E
Rail shipments.....	345	340	325	325	320	320	310	310	310	340	300
Rail shipments and railroad fuel.....	345	340	325	325	320	320	310	310	310	340	300
Truck shipment.....	330	330	335	335	330	330	295	295	295	300	280

NORTH FORK COAL CO., KONA, KY., NORTH FORK MINE, ECKHORN SEAM, MINE INDEX No. 7237, LETCHER COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: KONA, KY., F. O. G. 62, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	15, 16, 17
Price classification.....	K	K	K	K	K	K	K	K	H	K	E
Rail shipments.....	365	360	350	350	345	345	335	335	310	340	300
Rail shipments and railroad fuel.....	365	360	350	350	345	345	335	335	310	340	300
Truck shipment.....	330	330	335	335	330	330	295	295	295	300	280

REYNOLDS & JONES, c/o ESTEL JONES, SLIER, KY., REYNOLDS & JONES MINE, JELICO SEAM, MINE INDEX No. 7202, WHITLEY COUNTY, KY., SUBDISTRICT 6, RAIL SHIPPING POINT: YADEN, KY., F. O. G. 111, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	15, 16, 17
Price classification.....	H	H	H	H	H	F	F	E	O	O	O
Rail shipments.....	395	390	375	375	370	370	365	335	330	335	310
Rail shipments and railroad fuel.....	395	390	375	375	370	370	365	335	330	335	310
Truck shipment.....	405	395	350	350	350	350	330	290	290	295	285

WEICH COAL CO., Box 646, PAINTSVILLE, KY., CASTLE No. 1 MINE, MILLERS CREEK SEAM, MINE INDEX No. 7204, JOHNSON COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PAINTSVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 2

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	15, 16, 17
Price classification.....	D	D	D	D	D	E	E	E	O	O	A
Rail shipments.....	405	395	395	390	370	370	340	330	315	370	305
Rail shipments and railroad fuel.....	405	395	395	390	370	370	340	330	315	370	305
Truck shipment.....	415	395	350	350	350	350	330	290	295	295	280

WEST & LAY COAL CO., OVERTON, TENN., WEST & LAY MINE, GLEN MARY SEAM, MINE INDEX No. 7244, SCOTT COUNTY, TENN., SUBDISTRICT 6, RAIL SHIPPING POINT: MILL CREEK, TENN., F. O. G. 73, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	15, 16, 17
Price classification.....	O	O	O	O	O	O	M	L	H	F	H
Rail shipments.....	360	365	340	340	340	335	330	325	320	320	315
Rail shipments and railroad fuel.....	360	365	340	340	340	335	330	325	320	320	315
Truck shipment.....	330	330	335	335	335	320	295	295	295	295	285

WEST & LAY COAL CO., OVERTON, TENN., WEST & LAY MINE, GLEN MARY SEAM, MINE INDEX No. 7244, SCOTT COUNTY, TENN., SUBDISTRICT 6, RAIL SHIPPING POINT: MILL CREEK, TENN., F. O. G. 73, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	15, 16, 17
Price classification.....	O	O	O	O	O	O	M	L	H	F	H
Rail shipments.....	360	365	340	340	340	335	330	325	320	320	315
Rail shipments and railroad fuel.....	360	365	340	340	340	335	330	325	320	320	315
Truck shipment.....	330	330	335	335	335	320	295	295	295	295	285

This order shall become effective November 27, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. B. Doc. 44-18024; Filed, Nov. 25, 1944; 4:31 p. m.]

[MPR 120, Order 1159]

A. & B. MINING CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index

§ 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

For the reasons set forth in an accompanying opinion, and in accordance with

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numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 13. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment

for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.224 and all other provisions of Maximum Price Regulation No. 120.

A. & B. MINING CO., 35 SECOND AVE. N. BIRMINGHAM 4, ALA., A. & B. MINE, BLACK CREEK SEAM, MINE INDEX NO. 2052, WALKER COUNTY, ALA., RAIL SHIPPING POINT: SCHULTON AND/OR DRUMMOND, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 7 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 1.

	Size group Nos.						
	1 to 5, incl.	6, 8, 10	7, 9, 11	12, 14, 15, 16	13, 19, 23, 21	17, 18	22, 23
Rail shipments and railroad fuel.....	505	515	505	449	425	425	429
Truck shipment.....	509	459	469	445	425	429	419

E. L. GAMMAGE, 2510 COURT R. BIRMINGHAM, ALA., MILLSTONE STRIP MINE, BLACK CREEK SEAM, MINE INDEX NO. 2053, WINSTON COUNTY, ALA., RAIL SHIPPING POINT: LYNN, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 6 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 1.

Rail shipments and railroad fuel.....	535	455	475	435	435	375	335
Truck shipment.....	539	459	469	445	435	429	419

GENERAL ORE CO., 1215 FIRST NATL. BANK BLDG., BIRMINGHAM 3, ALA., HENDERSON MINE, BLACK CREEK SEAM, MINE INDEX NO. 2054, WALKER COUNTY, ALA., RAIL SHIPPING POINT: DRUMMOND, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 7 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 1.

Rail shipments and railroad fuel.....	505	515	505	449	425	425	429
Truck shipment.....	509	459	469	445	425	429	419

C. B. GUTHRIE, CARBON HILL, ALA., GUTHRIE NO. 2 MINE, BLACK CREEK SEAM, MINE INDEX NO. 2051, MARION COUNTY, ALA., RAIL SHIPPING POINT: GLEN ALLEN, ALA., STRIP MINE, MAXIMUM PRICE GROUP NO. 7 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 1.

Rail shipments and railroad fuel.....	505	515	505	449	425	425	429
Truck shipment.....	509	459	469	445	425	429	419

H. H. MILLER, c/o BLAINE BUCHANAN, 212 JAMES BLDG., CHATTANOOGA, TENN., MILLER MINE, NELSON SEAM, MINE INDEX NO. 2050, RHEA COUNTY, TENN., RAIL SHIPPING POINT: EVANSVILLE, TENN., DEEP MINE, MAXIMUM PRICE GROUP NO. 10 FOR RAIL SHIPMENTS AND RAILROAD FUEL, MAXIMUM TRUCK PRICE GROUP NO. 12

	Size group Nos.				
	1, 2, 3	4, 5, 6	7, 8, 9	10, 11, 12	13, 14
Rail and river shipments including railroad fuel.....	485	325	345	325	325
Truck shipment.....	470	415	339	319	325

This order shall become effective November 27, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18025; Filed, Nov 25, 1944; 4:32 p. m.]

[Rev. SR 14, Order 8]

P. LORILLARD CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 6.56 (a) (1) (ii) of Revised Sup-

plementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered, That:*

1. P. Lorillard Company, 119 West 40th Street, New York, New York, (hereinafter called "manufacturer") may sell, offer to sell or deliver to the armed forces of the United States for export and the armed forces of the United States may buy, offer to buy or receive for export Beech-Nut sweetened scrap chewing tobacco in 1½-ounce packages at a maximum net price of 50 cents per dozen.

2. Unless the context otherwise requires, the provisions of section 6.56 (except paragraph (a) (2) and paragraph (d)) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

3. This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 27, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18030; Filed, Nov. 25, 1944; 4:23 p. m.]

[Rev. SR 14, Order 9]

MIREX CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 6.56 (a) (1) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, *It is ordered, That:*

(a) Mirex Cigar Company, Incorporated, 1113 South Adams Street, Peoria, Illinois, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive Peoria's Best Cigar Clippings, plain scrap chewing tobacco, in 2-ounce packages at the maximum list price and maximum retail price set forth below:

Maximum list price per dozen packages	Maximum retail price per package
\$1.44	\$9.15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of the item of Peoria's Best Cigar Clippings, plain scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item of scrap chewing tobacco in 1½-ounce packages to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of the item of Peoria's Best Cigar Clippings, plain scrap chewing tobacco, for which maximum prices are established by this order, the customary price differential below the manufacturer's stated retail price allowed by him during March 1942 with respect to such brand and variety of scrap chewing tobacco in 1½-ounce packages.

(d) The manufacturer and every other seller (except a retailer) of the item of Peoria's Best Cigar Clippings, plain scrap chewing tobacco, for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by § 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of § 6.56 (except paragraph (a) (2)) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 27, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18031; Filed, Nov. 25, 1944;
4:30 p. m.]

[Rev. SR 14, Order 10]

P. LORILLARD CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to section 656 (a) (2) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation; *It is ordered, That:*

(a) P. Lorillard Company, 119 West 40th Street, New York, New York, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

Brand	Variety	Quantity of package con- tents	Maximum list price per doz- e on packages	Maximum re- tail price per package
Havana Blossom	Plain	Oz. 7	\$4.64	47
		14	8.78	89
	Sweet	7	4.54	44
		14	8.20	83

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such item.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 656 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 656 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which

maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 27, 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18032; Filed, Nov. 25, 1944;
4:30 p. m.]

[MPR 188, Rev. Order 2615]

MARK SIMPSON MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2615 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) Mark Simpson Manufacturing Company, 186 West Fourth Street, New York, New York, may sell and deliver Model MPA-3 Electric Portable Phonograph, which it manufactures, at a price no higher than \$20.90 per unit, for sales to jobbers, and \$25.00 per unit for sales to the United States Army Service Exchange, United States Navy Ship Stores, the Red Cross and the U. S. O. These maximum prices are exclusive of Federal Excise Tax f. o. b. factory, and are subject to a discount of two percent for payment within ten days, net thirty days.

(b) Any person, other than Mark Simpson Manufacturing Company, may sell and deliver at wholesale to the United States Army Service Exchange, the United States Navy Ship Stores, the Red Cross, the U. S. O., or any other government agency, the Model MPA-3 Electric Portable Phonograph, manufactured by Mark Simpson Manufacturing Company, at a price no higher than \$27.84 per unit, f. o. b. point of shipment. This maximum price is exclusive of Federal Excise Tax, and is subject to a discount of two percent for payment within ten days, net thirty days.

(c) Any person, other than Mark Simpson Manufacturing Company, may sell and deliver at retail the Model MPA-3 Electric Portable Phonograph, manufactured by Mark Simpson Manufacturing Company, at a price of \$48.50 per unit, inclusive of Federal Excise Tax, delivered.

(d) The Mark Simpson Manufacturing Company, at the time of, or prior to the delivery of each of its Model MPA-3 Electric Portable Phonograph, shall attach securely to such instrument, so that it is clearly visible, a durable tag containing in easily readable lettering the following statement:

The maximum retail price, inclusive of Federal Excise Tax, for the sale of this Model MPA-3 Electric Portable Phonograph, manufactured by Mark Simpson Manufacturing Company, is \$48.50 per unit, delivered.

(e) At the time of or prior to the first invoice to each purchaser for resale, Mark

Simpson Manufacturing Company shall notify in writing the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Revised Order No. 2615 may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18026; Filed, Nov. 25, 1944;
4:32 p. m.]

[MPR 188, Order 2968]

KRANFRO MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile dinette set and a child's rocker manufactured by Kranfro Mfg. Co., 320 North Main Street, Houston, Texas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons other than retailers who resell from manufacturer's stock	Maximum price to retailers
Juvenile dinette set	419	Each \$4.14	Each \$4.83
Child's rocker	818	Each 1.42	Each 1.69

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated October 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of articles to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the estab-

ishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, *f. o. b. factory*:

Article and Model No.:	Maximum price to retailers (each)
Juvenile dinette set, 419-----	\$4.88
Child's rocker, 818-----	1.63

These prices are for the articles described in the manufacturer's application dated October 10, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18027; Filed, Nov. 25, 1944;
4:29 p. m.]

[MPR 188, Order 2970]

MIRACLE PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries, of a metal smoking stand manufactured by Miracle Products Co., 15 East 26th Street, New York, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons other than retailers who resell from manufacturer's stock	Maximum price to retailers
Metal smoking stand...	10	Each \$3.91	Each \$4.60

These prices are *f. o. b. factory*, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, *f. o. b. factory*.

Article and model No.:	Maximum price to retailers (each)
Metal smoking stand, 10-----	\$4.60

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18028; Filed, Nov. 25, 1944;
4:29 p. m.]

[MPR 188, Order 2971]

FRANK'S NOVELTY PLANT

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries, of a corner what-not manufactured by Frank's

Novelty Shop, 110 Moore Street, Thomasville, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons other than retailers who resell from manufacturer's stock	Maximum price to retailers
Corner what-not-----	14	Each \$2.25	Each \$2.65

These prices are *f. o. b. factory*, and are for the article described in the manufacturer's application dated October 21, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, *f. o. b. factory*:

Article and model No.:	Maximum price to retailers (each)
Corner what-not, 14-----	\$2.65

This price is for the article described in the manufacturer's application dated October 21, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 27th day of November 1944.

Issued this 25th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18029; Filed, Nov. 25, 1944;
4:29 p. m.]

[MPR 260, Order 46]

BAYUK CIGARS, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 26; *It is ordered, That:*

(a) Bayuk Cigars, Incorporated, 9th St. and Columbia Ave., Philadelphia 22, Pennsylvania (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front mark	Packing	Maximum list price	Maximum retail price
Phillies-----	Perfecto-----	50	\$60.00	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars

of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 360.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1944.

Issued this 27th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18044; Filed, Nov. 27, 1944;
11:41 a. m.]

[MPR 260, Order 47]

GENERAL CIGAR CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered, That:*

(a) General Cigar Co., Inc., 119 W. 40th St., New York 18, New York (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Robert Burns	Queens-----	50	\$138	Cents 18
Van Dyck	43's-----	50	72	0
Robert Burns	Corona Supreme	50	127	2 for 33
Robert Burns	Perfecto Grande	50	105	14
White Owl	Invincible	50	60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price

class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1944.

Issued this 27th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18045; Filed, Nov. 27, 1944;
11:41 a. m.]

[MPR 260, Order 48]

GENERAL CIGAR CO., INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) General Cigar Co., Inc., 119 W. 40th St., New York 18, New York (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Golden Crown	Admirals	50	\$93.75	2 for 25
	Epitomes	50	75.00	10
	Generals	50	75.00	10
	Majors	50	75.00	10
	Crown	50	40.00	5
	Perfecto	50	40.00	5
	Perfecto Extra	50	60.00	2 for 15
	Selecto	50	40.00	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1944.

Issued this 27th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18046; Filed, Nov. 27, 1944;
11:42 a. m.]

[RMFR 436, Order 34]

CRUDE PETROLEUM IN OKLAHOMA
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436, *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after October 1, 1944, and produced in the pool set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Amount of increase
(Dollars per 42-gallon barrel)

Pool, County and State	Amount of increase
Milroy (Shallow), Stephens and Carter, Okla.	\$9.35

(b) The pool listed in section 12 (b) (34) of Revised Maximum Price Regulation No. 436 as the Hoffman Pool, Pottawatomie County, Oklahoma, with a maximum price increase of \$.35 is hereby redesignated to read Huffman Pool, Pottawatomie County, Oklahoma, with a maximum price increase of \$.35.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective as of October 1, 1944.

Issued this 27th day of November 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-18047; Filed, Nov. 27, 1944;
11:42 a. m.]

Regional and District Office Orders.

[Region II Order G-15 Under MPR 329,
Amdt 2]

FLUID MILK IN NEW YORK

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.403 of Maximum Price Regulation No. 329, as amended, and with the approval of the Regional Director of the Office of Distribution for the Northeastern Region of the War Food Administration; *It is hereby ordered, That:*

Order No. G-15 be amended by adding to section (g) (1) the town of Rhinebeck in Dutchess County and as so amended to read as follows:

(g) The provisions of paragraph (f) shall not be applicable to purchases of fluid milk from

(1) These producers who held permits to, and who actually did ship fluid milk into the State of Connecticut during the month of June 1944, and whose farms are located in the towns of Ancram, Chatham, Claverack, Copake, Ghent, Hillsdale, Hudson, Kinderhook, Livingston, Stockport, Taghkanic, Canaan, Green-

port and Austerlitz in Columbia County; the towns of Amsterdam, Beekman, Dover, East Fishkill, La Grange, Northeast, Pawling, Pine Plains, Rhinebeck, Stanford, Union Vale and Washington in Dutchess County; the towns of Carmel, Kent, Patterson and Southeast in Putnam County; and the towns of Bedford, Lewisboro, North Salem and Poundridge, Somers and Yorktown in Westchester County; all in the State of New York, and . . .

This Amendment No. 2 to Order No. G-15 shall be effective November 17, 1944.

(56 Stat. 23, 765; Pub. Law 151, 76th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4631)

Issued this 17th day of November 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved: November 17, 1944.

F. D. CROMBIE,
Regional Director,
Office of Distribution for the
Northeastern Region of the
War Food Administration.

[F. R. Doc. 44-17954; Filed, Nov. 24, 1944;
3:55 p. m.]

[Region II Order G-51 Under RMFR 122 and
MPR 120, Amdt. 1]

SOLID FUELS IN CALIFORNIA AND BLAIR
COUNTIES, PA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-51 is amended in the following respects:

1. Paragraph (e) (1) is amended by revising the "direct-delivery" prices for the following kinds and sizes of bituminous coal to read as follows:

Kind and size of coal	Per net ton	Per net 1/2-ton	Per 100 lbs. for sales of 100 lbs. or more but less than 1/2-ton
Bituminous coal—producing district 1: Net, also group 1, rail chipped coal, price classification A.....	\$2.75	\$1.80	\$0.45
Net, also group 2, rail chipped coal, price classification A.....	6.40	3.70	.45

(Maximum Authorized Service Charges remain unchanged.)

2. Paragraph (e) (2) is amended by revising dealers' "Yard" sales prices for the following kinds and sizes of bituminous coal, to read as follows:

Kind and size of coal	Per net ton for sales of 1/2-ton or more	Per 100 lbs. for sales of less than 1/2-ton
Bituminous coal—Producing district 1: Net, also group 1, rail chipped coal, price classification A.....	\$5.40	\$0.35
Net, also group 2, rail chipped coal, price classification A.....	5.25	.35

This Amendment No. 1 to Order No. G-51 shall become effective as of November 13, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-17955; Filed, Nov. 24, 1944;
3:57 p. m.]

[Region II Order G-99 Under 18 (c), Amdt. 1]

DEHYDRATED SWEET CORN IN NEW YORK AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II of the Office of Price Administration under section 18 (c) of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-99 be amended as follows:

(1) The prices set forth in the table appearing in section (a) of that order shall be as follows:

25-150 # bulk containers..... \$0.30 a pound.
48-5½ ounce packages..... \$5.90 a case.
24-16 ounce packages..... \$7.80 a case.

(2) In all other respects, the order dated November 14, 1944 shall remain in full force and effect.

This order shall become effective immediately.

(56 Stat. 23, 768; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of November 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-17953; Filed, Nov. 24, 1944;
3:56 p. m.]

[Region VIII Order G-5 Under 3 (e),
Revocation]

MEXICAN MALT BEVERAGES IN SAN FRANCISCO AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e), as amended, of the General Maximum Price Regulation and under the authority reserved in paragraph (c) of the above-named order, that order is hereby revoked, effective immediately.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of November 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-17958; Filed, Nov. 24, 1944;
3:53 p. m.]

[Region VIII Rev. Order G-6 Under MPR 418,
Amdt. 3]

FRESH FISH AND SEAFOOD IN SAN FRANCISCO AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 2 (d) and section 20 (a) of the Maximum Price Regulation No. 418, as amended, Revised Order No. G-6 is hereby amended as follows:

(a) Appendix I is hereby amended by deleting item no. 6 "Mexican seabass", and a new Appendix III is added in lieu thereof.

(b) Paragraph (a) (3) is hereby amended to read as follows:

(3) Sales by wholesalers other than primary fish shipper wholesalers to other wholesalers. The maximum price for such sales of listed fresh fish and seafood items shall be the applicable price

set forth in subparagraph (a) (2) above, plus 1¢ per pound, except in the case of Mexican seabass. When Mexican seabass has been washed, cleaned, trimmed, boxed or barrelled and unloaded into the established place of business of the wholesaler, add 2¼¢ per pound.

(c) Paragraph (b) is hereby amended by adding at the end thereof subparagraph (b) (21) to read as follows:

(21) Border points means all points in Region VIII where listed fresh fish and seafood items first enter the United States from the Republic of Mexico.

(d) This amendment No. 3 shall become effective November 22, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of November 1944.

CHAS. R. BAIRD,
Regional Administrator.

APPENDIX III

Species	Item No.	Basing points	Style of dressing ¹	Maximum prices per pound					
				Table A		Table B		Table D	
				Border points	San Diego, San Pedro, Los Angeles	Border points	San Diego, San Pedro, Los Angeles	Border points	San Diego, San Pedro, Los Angeles
Mexican seabass.	1	Nogales.....	Dressed.....	\$0.1375	\$0.1575	\$0.1575	\$0.1725	\$0.19	\$0.21
		Los Angeles.....	Steaks.....			.205	.225	.2125	.2325
		San Diego.....	Fillets.....			.2525	.3025	.33	.34

¹ The maximum prices of Mexican seabass, drawn, shall be \$0.0275 per pound under the maximum prices for dressed.

[F. R. Doc. 44-17956; Filed, Nov. 24, 1944; 3:57 p. m.]

[Region VIII Order G-8 Under 3 (e) (2),
Amdt. 1]

WEDGEWOOD GAS RANGES IN SAN FRANCISCO AREA

For the reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation, as amended, and Order No. G-8 under section 3 (e) (2) of the General Maximum Price Regulation, *It is ordered*, That Order G-8 under § 1499.3 (e) (2) of the General Maximum Price Regulation be amended as follows:

(a) The table of items and prices appearing in paragraph (a) is amended to read as follows:

Item	Northern California	Southern California	Arizona (except north of the Colorado River)
Model 5180A	\$132.00	\$124.00	\$129.00
Model 5180A with thermostat	141.00	132.00	137.00
Model 5023A BK	150.00	150.00	155.00

This amendment No. 1 shall become effective November 16, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 4971; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of November 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-17957; Filed, Nov. 24, 1944;
3:57 p. m.]

[Region VIII Rev. Order G-8 Under MPR 280,
Amdt. 5]

FLUID MILK IN CALIFORNIA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, as amended; *It is hereby ordered*, That Order No. G-8 under Maximum Price Regulation No. 280 be amended in the following particulars:

(a) Paragraph (g) is hereby amended to read as follows:

(g) Notwithstanding any of the foregoing provisions of this order, the maxi-

mum prices at which any "handler" located in the northern California area may sell fluid milk to another "handler" for resale for human consumption as fluid milk, which milk is transferred from one "handler" to another upon the specific written request of the Market Agent appointed by the Director of the War Food Administration, shall be as follows:

(1) For such sales of raw milk, f. o. b. city plant of seller, the maximum prices shall be as follows:

Milk fat content:	Maximum price per cwt. f.o.b. seller's plant
3.5 and less than 3.6	\$3.85
3.6 and less than 3.7	3.92
3.7 and less than 3.8	3.99
3.8 and less than 3.9	4.07
3.9 and less than 4.0	4.14
4.0 and less than 4.1	4.21
4.1 and less than 4.2	4.28
4.2 and less than 4.3	4.36
4.3 and less than 4.4	4.43
4.4 and less than 4.5	4.50
4.5 and less than 4.6	4.58
4.6 and less than 4.7	4.65
4.7 and less than 4.8	4.72
4.8 and less than 4.9	4.79
4.9 and less than 5.0	4.87
5.0 and less than 5.1	4.94
5.1 and less than 5.2	5.01
5.2 and less than 5.3	5.08
5.3 and less than 5.4	5.15
5.4 and less than 5.5	5.22
5.5 and less than 5.6	5.29
5.6 and less than 5.7	5.36

(2) For such sales of pasteurized milk, f. o. b. city plant of seller, the maximum prices shall be the prices as set forth in paragraph (g) (1) above plus \$0.45 per cwt.

(3) For such sales of raw milk f. o. b. country plant of seller, the maximum prices shall be the prices as set forth in paragraph (g) (1) above, minus \$0.35 per cwt.

(b) Paragraph (b) is hereby amended by adding new subparagraphs (6) and (7) to read as follows:

(6) "Country plant" means a milk processing plant which does not customarily sell "fluid milk" in glass or fiber containers.

(7) "City plant" means any milk processing plant other than a country plant.

(c) This Amendment No. 5 shall become effective this 18th day of November 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 18th day of November 1944.

CHAS. R. BAIRD,
Regional Administrator.

[F. R. Doc. 44-17959; Filed, Nov. 24, 1944;
3:57 p. m.]

[Des Moines Order G-1 Under Rev. RO 11]

FUEL OIL IN DES MOINES, IOWA, DISTRICT

Pursuant to the authority vested in the District Director of the Des Moines District Office by § 1394.5737 of Revised Ration Order 11; *It is hereby ordered:*

That all registered dealers having any registered dealer establishment with a registered fuel oil storage capacity (as defined in § 1394.5703 of Revised Ration

Order 11) of not less than 250 gallons and not more than 999 gallons, registered with any local Board under the jurisdiction of the Des Moines District Office shall prepare a statement, giving the required information, on OPA Form R-1193, as of 12:01 a. m. on the first day of December, 1944 and as of 12:01 a. m. on each sixth month thereafter for each such establishment and to file that statement with the Des Moines District Office on or before the 25th day of that month. In the event that the dealer has, for any such establishment evidences in excess of the amount he may properly have as of the first day of each such month, under Revised Ration Order 11, he shall surrender to the Des Moines District Office at the time of filing this statement, evidences for each such establishment, equal in gallonage value to such excess, together with a statement explaining the manner in which the excess occurred.

This order shall become effective on December 1, 1944.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 25th day of November 1944.

WALTER D. KLINE,
District Director.

[F. R. Doc. 44-18003; Filed, Nov. 25, 1944;
11:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-939]

GENERAL GAS & ELECTRIC CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 22d day of November 1944.

A declaration having been filed pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company, and notice having been given of the filing thereof by publication in the FEDERAL REGISTER and otherwise as provided by Rule U-23 under said act; and said declaration concerning the proposed declaration and payment out of capital or unearned surplus of a quarterly dividend on the \$5 Prior Preferred Stock of General Gas & Electric Corporation for the quarterly period ended December 15, 1944, excepting that as to the 27,889.1 shares of such stock held by the Trustees of Associated Gas and Electric Corporation, also a registered holding company, the right to the receipt of the dividends is to be waived by said Trustees until further order of the Commission; and

The Commission having received a request from an interested person that a hearing be held with respect to said matter; and

The Commission having considered said request, and it appearing to the Commission that it is appropriate and in

the public interest and the interest of investors and consumers that a hearing be held with respect to said declaration and that said declaration shall not become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on such matter under the applicable provisions of the said act and the rules of the Commission thereunder be held on December 4, 1944, at 10:00 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before December 2, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed declaration and payment of the current quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate in the public interest and the interest of investors;

2. Whether the action proposed to be taken complies with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder; and

3. What terms or conditions, if any, should be imposed in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17843; Filed, Nov. 24, 1944;
3:09 p. m.]

[File No. 70-544]

INTERNATIONAL UTILITIES CORP. AND GENERAL WATER GAS & ELECTRIC CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of November, A. D. 1944.

Notice is hereby given that an amendment to certain joint declarations and applications has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by

General Water Gas & Electric Company, a registered holding company and a subsidiary of International Utilities Corporation, also a registered holding company.

Notice is further given that any interested party may, not later than December 2, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said amendment, considered as a petition for withdrawal by the Commission of a condition attached to an order heretofore entered, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said amendment to said joint declarations and applications, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

The Commission's order heretofore entered in this proceeding, dated July 1, 1942, permitted declarations to become effective and approved applications regarding the issuance and sale by General Water Gas & Electric Company of promissory notes in the principal amount of \$2,100,000, payable in installments over a period of five years from the date thereof and the extension of the maturity date and subordination of a promissory note of General Water Gas & Electric Company in the principal amount of \$385,700 held by International Utilities Corporation. Such order of the Commission provided among other things, " * * * that no dividend, nor other distribution, by purchase of shares of stock, or otherwise, shall be paid, or made upon the common stock of General Water Gas & Electric Company, pending the further order, or orders, of this Commission."

The amendment states that on October 31, 1944, all of said indebtedness was fully paid and discharged and contains a request that the Commission issue an order eliminating the above set forth condition. General Water Gas & Electric Company then proposes to pay a dividend of 80¢ per share on its presently outstanding 217,622 shares of common stock.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17949; Filed, Nov. 24, 1944;
3:06 p. m.]

[File Nos. 31-7, 60-21]

LONG ISLAND LIGHTING CO., ET AL.

ORDER POSTPONING HEARING AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 22d day of November 1944.

In the matters of Long Island Lighting Company, Kings County Lighting Company, East Hampton Electric Light Company, Nassau & Suffolk Lighting Company, Long Beach Gas Company, Inc., File No. 31-7; Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation, Lauridel Corporation, jointly and severally, Respondents, File No. 60-21.

The Commission having on November 10, 1944, issued a notice of filing and order for hearing giving notice that a petition had been filed by a Preferred Stockholders Protective Committee of Long Island Lighting Company for revocation or modification of the Commission's order, dated March 27, 1936, pursuant to section 3 (a) (1) of the Public Utility Holding Company Act of 1935, with respect to Long Island Lighting Company and its subsidiary companies, and ordering that a hearing be held on November 27, 1944, for the purpose of adducing evidence with respect to whether the exemption granted in said order of March 27, 1936 to Long Island Lighting Company and its subsidiary companies is detrimental to the public interest or the interest of investors and consumers, and, generally, with respect to whether said order of March 27, 1936, should be revoked or in any wise amended or modified; and

The Commission having been advised that counsel for said Preferred Stockholders Protective Committee of Long Island Lighting Company will be unable, due to physical disability, to attend said hearing on November 27, 1944, and said counsel having requested that the hearing be postponed; and

The Commission having on November 21, 1944, instituted a proceeding under section 2 (a) (7) (B) of said act, in which Ellis L. Phillips, Empire Power Corporation, Eastern Seaboard Securities Corporation and Lauridel Corporation are Respondents, for the purpose of determining whether said Respondents, or any one or more of them directly or indirectly exercise (either alone or pursuant to an understanding with one or more other persons) such a controlling influence over the management or policies of Long Island Lighting Company and its subsidiary companies as to make it necessary or appropriate in the public interest or for the protection of investors or consumers that said Respondents, or any one or more of them, be subject to the obligations, duties and liabilities imposed in said act upon holding companies; and, having ordered that a hearing be held on December 19, 1944, for the purpose of adducing evidence with respect to said matter; and

It appearing to the Commission that said proceeding under section 3 (a) (1) of said act (designated as File No. 31-7) and said proceeding under section 2 (a) (7) (B) of said act (designated as File No. 60-21) may involve common questions of law and of fact, and that the evidence to be adduced in each of said proceedings may have a bearing upon the issues presented by both proceedings,

and that a substantial saving of time and expense will result if such proceedings are consolidated; and

The Commission deeming it appropriate to grant said request of the Preferred Stockholders Protective Committee of Long Island Lighting Company for postponement of the hearing in the proceeding under section 3 (a) (1) of said act (designated as File No. 31-7):

It is ordered, That the hearing in the proceeding under section 3 (a) (1) of the act (designated as File No. 31-7) heretofore scheduled to commence on November 27, 1944, be, and hereby is, postponed to December 19, 1944, at 10:00 a. m., e. w. t.;

It is further ordered, That said proceeding, pursuant to section 3 (a) (1) of the act (designated as File No. 31-7), and said proceeding pursuant to section 2 (a) (7) (b) (designated as File No. 60-21) be, and hereby are, consolidated;

It is further ordered, That the time for filing applications, pursuant to Rule XVII of the Commission's rules of practice, by interested persons desiring to be heard or otherwise wishing to participate in said proceeding under section 3 (a) (1) of the act (designated as File No. 31-7), be, and hereby is, extended to December 15, 1944;

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in the consolidated proceedings, and to take such other action as may appear necessary or appropriate to the orderly and economical disposition of the issues involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17947; Filed, Nov. 24, 1944;
3:06 p. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of November, A. D. 1944.

In the matters of North Continent Utilities Corporation and Subsidiary Companies, File No. 54-74; North Continent Utilities Corporation and Subsidiary Companies, File No. 59-69.

The Commission having on November 16, 1943, entered an order herein pursuant to section 11 (b) of the Public Utility Holding Company Act of 1935 directing that North Continent Utilities Corporation shall take such action as may be necessary to cause its liquidation and dissolution; and North Continent Utilities Corporation having filed an application herein requesting the entry of an order by this Commission under section 11 (c) of the act extending for a period of one year the time within which

to comply with the said order of November 16, 1943; and

The Commission having by order dated November 16, 1944 designated December 1, 1944 as the date for a hearing in respect of the aforesaid applications; and

North Continent Utilities Corporation having requested that the hearing in this matter be postponed to any date between December 8, 1944 and December 15, 1944; and the Commission deeming it appropriate under the circumstances that the request for postponement of the hearing be granted;

It is ordered, That the hearing in this matter previously scheduled for December 1, 1944 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to December 12, 1944 at 11:00 a. m., e. w. t., at the same place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in said proceeding shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to December 9, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17963; Filed, Nov. 25, 1944;
11:03 a. m.]

[File No. 54-89]

UNITED CORPORATION

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of November, A. D. 1944.

The United Corporation having filed a plan under section 11 (e) of the Public Utility Holding Company Act of 1935, together with an application for approval by the Commission of said plan and the transactions contemplated thereby, under the applicable provisions of said act;

Hearings having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to section 11 (e) and Rule U-64 of the general rules and regulations promulgated under said act; *It is ordered*, That said plan and the transactions necessary to consummate said plan be and they hereby are approved subject to the following terms and conditions:

1. That The United Corporation, within ten days from the date of this

order, shall file appropriate amendments to said plan which will

(a) Increase the amount of cash to be offered with Philadelphia Electric Company's Common Stock from \$5.00 to \$6.00 for each share of The United Corporation's Preference Stock deposited for exchange;

(b) Increase the initial exchange period from ten to at least fifteen days; and

(c) Provide that any additional period for effecting exchanges, if the offer is not oversubscribed during the initial exchange period, shall be not in excess of 45 days with leave to The United Corporation to apply to the Commission for such extension or extensions as may be deemed appropriate;

2. That the Commission reserves jurisdiction with respect to all accounting entries involved in carrying out the plan, and with respect to fees and expenses to be paid by The United Corporation in connection with the plan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17970; Filed, Nov. 25, 1944;
11:03 a. m.]

[File No. 70-954]

CENTRAL VERMONT PUBLIC SERVICE CORP. ORDER RELEASING JURISDICTION WITH RESPECT TO ADDITIONAL LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of November 1944.

Central Vermont Public Service Corporation, a public-utility subsidiary of New England Public Service Company, a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to sections 6 (b), 7 (e), 12 (c) and 12 (e) of the Public Utility Holding Company Act of 1935, with respect to the issuance and sale, with an exchange offer, of 37,856 shares of preferred stock, \$100 par value, 4.15% dividend series, to refinance an equal number of the then outstanding shares of preferred stock, no par value, \$6 dividend series; and

Said application-declaration having estimated legal fees, among others, of \$5,000 to Ropes, Gray, Best, Coolidge & Rugg, counsel for the issuer, for services performed in connection with said transactions; and

The Commission having on September 22, 1944 issued its order herein permitting the declaration with respect to the solicitation material to become effective forthwith, and having granted the application-declaration and permitted it to become effective with respect to the above-mentioned legal fees and all other matters, subject to certain terms and conditions; and

Central Vermont Public Service Corporation having thereafter filed an

amendment to the application-declaration increasing the estimated amount of legal fees proposed to be paid to Ropes, Gray, Best, Coolidge & Rugg by \$5,000; and

The Commission having on October 5, 1944 and October 17, 1944 issued its supplemental orders herein granting said application-declaration, as amended, and permitting it to become effective, subject to certain terms and conditions, including a reservation of jurisdiction with respect to the determination of the reasonableness of the additional legal fees incurred in connection with the transactions; and

Applicant-declarant having filed various data with respect to the legal services performed for them by Ropes, Gray, Best, Coolidge & Rugg in connection with the transactions; and

It appearing to the Commission that such additional legal fees are not unreasonable and that jurisdiction over such matters should now be released;

It is hereby ordered, That the jurisdiction reserved in the orders heretofore entered herein on October 5, 1944 and October 17, 1944 with respect to the reasonableness of the additional legal fees incurred and proposed to be paid by applicant-declarant in connection with said transactions be, and the same is hereby, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18933; Filed, Nov. 27, 1944;
10:32 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4429, 4430, 4433, 4463, 4491, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 407, 403, 411, 481, 489, 367), and Executive Order 9033, dated February 23, 1942 (7 F.R. 1609), the following approval, withdrawal and termination of approval of equipment is prescribed:

APPROVAL OF EQUIPMENT

IRACE PUMP

Semi-rotary, hand-operated bilge pump (U.S.C.G. No. 3) for lifeboats not exceeding 1400 cubic feet capacity (Dwg. No. 223, dated 1 September, 1944), submitted by Allied Marine Equipment Corp., 234 Railroad Avenue, Hackensack, N. J.

BALLOONS FOR LIFEBOAT RADIO ANTENNA

Balloon for lifeboat radio antenna, Type H-4, submitted by Dewey & Almy Chemical Company, Cambridge 49, Mass.

Balloon for lifeboat radio antenna, Type CAGS, submitted by the Molded Latex Products, Passaic, New Jersey.

BOXER

Foster Wheeler Corporation D Type Marine Package Bailer (Dwg. No. FD440-45a, dated 11 October 1944), submitted by the Foster

Wheeler Corporation, 165 Broadway, New York.

LIFE RAFT

20-person imported type liferaft, wood construction, Styrofoam, Type Q103.6 filled (General Arrangement Dwg. No. 1, dated 11 November, 1944), submitted by Craftsman Equipment Corporation, 41-43 Utica Avenue, Brooklyn 13, New York.

LINE-THROWING GUN

Shoulder line-throwing gun (Dwg. No. 16), submitted by Coston Supply Company, 31 Water Street, New York 4, N. Y.

LUMINOUS MARKING FOR INTERIOR ACCOMMODATIONS

Luminous marking, Velva-Glo D-23, submitted by the Velvatone Poster Company, San Francisco, California.

SIGNAL PISTOL

Sklar signal pistol (Dwg. No. Z 100, Modification Dwg. No. Z-100A, dated 26 August, 1944), submitted by Sklar Signal Pistol Co., 1017 Market St., San Francisco 3, Calif.

WITHDRAWAL OF APPROVAL

Coast Guard approval of the following items of equipment is withdrawn effective December 31, 1944:

LUMINOUS MARKING FOR INTERIOR ACCOMMODATIONS

Luminous tape, Type A, submitted by Century Lighting, Inc., New York, N. Y. (Approved 30 March, 1943, 8 F.R. 4196).

Conti-Glo, Type P-11, submitted by Continental Lithograph Corp., Cleveland, Ohio. (Approved 7 October, 1942, 7 F.R. 7980).

Luminous tape, Type A, submitted by E. I. DuPont de Nemours & Co., Wilmington, Del. (Approved 30 March, 1943, 8 F.R. 4196).

Luminous tape, types 11-1031, 11-1032, 11-1033, and 10-1332, submitted by Charles F. Heaphy Company, Greybar Building, New York, N. Y. (Approved 29 March, 1944, 9 F.R. 3439).

Luminous tape, Type A, submitted by the Hyperion Products Corp., New York, N. Y. (Approved 17 November, 1943, 8 F.R. 15745).

Luminous tape, designated "Lumanize" tape, submitted by the Lunex Corp., Davenport, Iowa. (Approved 17 November, 1943, 8 F.R. 15745).

Luminous tape, Lytape Type P-12, submitted by E. P. Lynch, Inc., 92 Weybossett Street, Providence, R. I. (Approved 7 October, 1942, 7 F.R. 7980).

Luminous tape, Press-Glo Blue-green, manufactured by Prescott Paint Company, 445 West 31st Street, New York, N. Y. (Approved 14 July, 1943, 8 F.R. 9841).

Luminous tape, Type A, submitted by the Strobli Company, New York, N. Y. (Approved 6 October, 1943, 8 F.R. 13762).

Plastic luminous tape, Velva-Glo D-7 Blue-green, submitted by Velvatone Poster Co., 16 Beale Street, San Francisco, Calif. (Approved 11 January, 1943, 8 F.R. 501).

The approved luminous tapes on which approvals are withdrawn effective 31 December 1944, that may be installed prior to 31 December, 1944, may remain in place so long as in good and serviceable condition.

TERMINATION OF APPROVAL

Coast Guard approval of the following item of equipment has been terminated, as the manufacturer no longer produces the same:

WATER LIGHT

Electric type, vapor-proof floating, lighting buoy, submitted by Standard Oil Co. of Louisiana, Baton Rouge, La. (Approved 1936). (This listing supersedes Termination of Approval listing in FEDERAL REGISTER, 1 November, 1944, 9 F.R. 13018). Water lights now in service may be continued in use so long as in serviceable condition.

Dated: November 24, 1944.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

[F. R. Doc. 44-17961; Filed, Nov. 25, 1944; 9:22 a. m.]

WAR FOOD ADMINISTRATION.

Farm Security Administration.

CLARK COUNTY, ARK.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follows:

REGION VI

ARKANSAS

County Clerk

Locality I: Consisting of the townships of Antoine, Elkins, and South Fork	\$2,607
Locality II: Consisting of the townships of Caddo, and Manchester	2,147
Locality III: Consisting of the townships of Anderson, Beech Creek, Beirne, and Missouri	1,831
Locality IV: Consisting of the townships of Alpine, Amity, Greenville, Leard, Long Creek, and Terre Noire	1,107

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: November 24, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-17988; Filed, Nov. 25, 1944; 11:26 a. m.]

WAR PRODUCTION BOARD.

[Certificate 210]

COORDINATED TOWAGE OPERATIONS OF CARRIERS BY WATER ON INTERCOASTAL CANAL OF UNITED STATES

The ATTORNEY GENERAL:

I submit herewith Special Order ODT W-3 (9 F.R. 13684) issued by the Director of the Office of Defense Transportation with respect to the coordination of towage operations between DeBardleben Coal Corporation (doing business as Coyle Lines) and the River Terminals Corporation, both of New Orleans, Louisiana.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the special order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT W-3 is requisite to the prosecution of the war.

Dated: November 20, 1944.

J. A. KRUG,
Chairman.

[F. R. Doc. 44-17971; Filed, Nov. 25, 1944; 11:02 a. m.]